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Editor's Introduction

Susan Shell

One of the persistent puzzles of Strauss scholarship is the absence in any of his published works of a thematic treatment of Immanuel Kant.ⁱ This absence is all the more striking given Kant's importance in shaping the intellectual milieu in which the younger Strauss was educated and against which he, along with many of his early intellectual companions, including Gerhard Krüger, Jacob Klein, Gershom Scholem and others, rebelled more or less explicitly. And it gives the two seminars that he dedicated to Kant in 1958 and 1967 (an additional seminar given in the early 1950's was evidently not recorded)ⁱⁱ special importance for anyone wishing to better grasp Strauss's understanding and appraisal of Kant's thought, including the meaning of that relative public silence.

Before we turn directly to the transcripts of those two seminars, it will prove helpful to briefly consider that milieu along with Strauss's approach to Kant both before and in the aftermath of Strauss's so-called "reorientation" in the early 1930's. Strauss was born in 1899 in Kirchhain, Germany and grew up in an observant Jewish family. He attended a local gymnasium and then studied at the University of Marburg, which at that time was dominated by a neo-Kantianism for which Hermann Cohen (1842-1918) served as the shaping intellectual force. Strauss's dissertation, written under the supervision of Ernst Cassirer at the University of Hamburg, on the "problem of knowledge" in Jacobi was a thinly veiled critique of Cassirer's neo-Kantianism.ⁱⁱⁱ

The neo-Kantianism that dominated the academic world of Strauss's youth represented a peculiar strand of Kantianism, one that took for granted the validity of modern empirical science as a basic starting point while at the same time insisting, with Kant, that scientific truth applied only to the realm of "appearances," leaving the way open for moral claims to "practical knowledge" of things in themselves. In this view the gap between theory and practice, or between natural science and ethics, was spanned by the "regulative" idea of a progressive history, culminating, for Cohen, in a democratic-socialist state (or multitude of states) infused with broadly liberal and humanitarian principles.

A major difference between Cohen and Cassirer was the relative eclipse for the latter of a binding moral law, and with it the specific importance of a rational ethics that tended to merge in Cassirer's thought with other sciences of "culture." A further, and perhaps related, difference lay

ⁱ The sole exception is his early dissertation on Jacobi, which includes an extensive treatment of Kant from the perspective of Jacobi's critique. See Strauss, *Das Erkenntnisproblem in der philosophischen Lehre Fr. H. Jacobis* (1921) in Strauss, *Gesammelte Schriften*, vol. 2: *Philosophie und Gesetz—Frühe Schriften*, ed. Heinrich Meier (Stuttgart: Metzler, 2nd ed., 2013), 237-92.

ⁱⁱ Strauss seems also to have offered a course on "Aristotle and Kant" at the New School in 1944, which was attended by Harry Jaffa. <http://www.nationalreview.com/article/396209/house-jaffa-john-j-miller>

ⁱⁱⁱ For Strauss's youthful assessment of Cassirer, whom he later described as a "remarkable representative of established academic philosophy" see RCPR 28. [For a list of title abbreviations, see the end of this introduction.]

in Cohen's passionate concern for the future of Judaism and the Jews in the context of modernity and in the waning years of Imperial Germany [WIPP 292-6].

One might begin to better understand Strauss's attitude toward Kant by examining Strauss's several extended treatments of Cohen from the period of his early engagement with political Zionism to his late Introduction to Cohen's *Religion of Reason out of the Sources of Judaism* that Strauss chose to include as the final chapter of *Studies in Platonic Political Philosophy*, the original version of which appeared in 1973, the year of Strauss's death.

To briefly summarize that evolving treatment: Cohen seems to represent to Strauss the peak of Jewish hopes for successful accommodation—intellectual, political, and social—within a progressive civilization partly grounded in Kantian liberal presuppositions. Initially and throughout, Strauss takes Cohen to task for certain unfounded humanitarian expectations (which in some ways exceed those of Kant himself) while at the same time respectfully acknowledging Cohen's own religiously rooted dissatisfaction with idealistic and romantic understandings of “transcendence.” In the spirit of Kant's ethics as he understood them, Cohen attempted to reverse, on Kantian premises and by Kantian means, the “euthanasia” of Judaism^{iv} that Kant had himself appropriated from Spinoza. If Cohen failed to recognize the political motives behind Spinoza's “amazingly unscrupulous” treatment of Judaism (though not, perhaps, of the Jewish people), and if Cohen thereby also failed to recognize the impossibility of a politically effective moral universalism, he exceeded the putative intellectual accomplishment of his successor, Cassirer, by revealing perhaps more forcefully than Kant himself the necessary link between the passionate longing for universal justice and belief in revelation (PAW 140, NRH 163-4; cf. L. Batinsky, “Kant's Philosophy of Religion,” *Stanford Encyclopedia of Philosophy*)(<https://plato.stanford.edu/entries/strauss-leo>).

Strauss's youthful Zionist essays make clear his early doubts as to the adequacy of such faith in the possibility of universal justice as a guide to political life or action. The aftermath of World War One, along with the increasingly precarious situation of the Jews in Germany and the related revelation of the illusory and demeaning character of the assimilationist ideal, made political Zionism an attractive option to many. Strauss's own complex attitude toward Zionism, an attitude he would later associate with the name of Nietzsche as he then understood him,^v saw in Kant the roots of an unmanly liberal idealism and romanticism that refused to face the harsh reality of a world divided among political communities that were always at least potentially mutually hostile. One motive for Strauss's early studies of Spinoza was to free his persona from the German Idealists' and Romantics' image of a “god-intoxicated man,” an image that had led contemporary liberal Jews to embrace Spinoza as a Jewish hero and thus “reverse” his original Jewish excommunication. Cohen's own better moral instincts led him instead to decry Spinoza as a traitor to his people, but Cohen's own Kantian assumptions as to the basically moral foundations of philosophy blinded him to what Maimonides's “Platonism” really meant and thereby prevented Cohen from raising the fundamental Platonic-Socratic question as to the right way of life.

^{iv} Kant, *The Conflict of the Faculties* [6: 517-18].

^v See his letter to Karl Löwith, June 23, 1935 [GS 3: 648] and Strauss, “Preface to the English Translation,” *Spinoza's Critique of Religion*, trans. E. M. Sinclair (New York: Schocken, 1963, 3-5).

Strauss's *Spinoza's Critique of Religion*, which was written during the years 1926-28, developed an early suspicion on his part that modern liberal thought, and the philosophic assumptions on which it was based, had failed to do justice to the claims of revelation, as recently affirmed by Karl Barth, Rudolf Bultmann, Friedrich Gogarten, and other members of the "neo-Orthodox" school. A related trend—the so-called "new thinking," which included both Franz Rosenzweig, who urged a modified return to Jewish orthodoxy, and Martin Heidegger, who was assumed to be an atheist—likewise stressed the "existential" character of certain fundamental human experiences to which religion traditionally gave expression, and for which neither natural science nor the contemporary sciences of "culture" could satisfactorily account.

It is here that Gerhard Krüger enters the scene. Krüger, who was both a follower of Bultmann and Heidegger's respected research assistant, was embarked on his own effort to recover the Socratic-Platonic question, albeit from the standpoint of a pre-modern Christian Platonism. His discerning and incisive review of Strauss's Spinoza book (one that stated Strauss's views, as Strauss put it, more clearly than he had done)^{vi} sparked an extended correspondence and intellectual friendship that included the crucial years that spanned Strauss's so-called reorientation (in the late 1920's-early 1930's) and survived the difficult Hitler years, definitively ending only with Krüger's unfortunate stroke in the early 1950's.^{vii} Krüger's way back to Plato was via an original and painstaking reading of Kant that especially emphasized his neo-Platonic Christian roots. On Krüger's account, modern science was less the foundation of Kant's critical idealism than an intellectual impediment that prevented him from entering fully into the spirit of knowing belief to which his deeper thinking pointed. Krüger's interpretation of Kant impressed Strauss at the time and would continue to inform his reading of Kant as presented in his later seminars (see, for example, 1958 seminar, sessions 3, 6).^{viii}

Krüger and Strauss shared a fundamental antipathy for modern relativistic assumptions that made it impossible to take seriously the question of the best life or of the "one thing needful."^{ix} At the same time, Krüger's fundamentally Christian response, in Strauss's view, remained within an "historicizing" horizon that Strauss himself meant to get beyond. A poignant letter on the far side of Strauss's intellectual breakthrough of 1929-30 stresses the difference between "natural law," to whose commanding authority Krüger remained wedded, and natural right as Plato understood it. Krüger's failure to follow that hint marked the end of their close intellectual collaboration, though not their friendship, and it reveals, as we shall see, something important about the

^{vi} Gerhard Krüger, review of Leo Strauss, *Die Religionskritik Spinoza als Grundlage seiner Bibelwissenschaft*, (Berlin: Akademie Verlag, 1930), in *Deutsche Literaturzeitung*, 1931, Heft 51 (December 20), 2407-2412. See also Leo Strauss, "Preface" to *Hobbes Politische Wissenschaft*, trans. Donald Maletz, *Interpretation*, vol. 8, no. 1 (January, 1979), 2.

^{vii} Leo Strauss [GS 3: 377-454].

^{viii} Strauss also mentions Krüger appreciatively, albeit with reservations, in his 1959 seminar on Plato's *Symposium*. See Leo Strauss, *On Plato's Symposium* (Chicago: University of Chicago Press, 2001); and Thomas L. Pangle, "The Light Shed on the Crucial development of Strauss's Thought by his Correspondence with Gerhard Krüger," in *Reorientation: Leo Strauss in 1930s*, ed. Martin D. Yaffe and Richard S. Ruderman (New York: Palgrave Macmillan, 2014), 58.

^{ix} Thus their shared contempt for the work of Karl Mannheim, whom Strauss satirizes in his 1929 essay "Conspicuousness," which he sought Krüger's help in publishing. An English translation of the essay appears in *Reorientation*, 217-24

defects, as Strauss saw them, of Kant's overall approach, even when stripped of its general commitment to the basic premises of modern natural science.

Julius Ebbinghaus, whose lively lectures on Hobbes Strauss later praised for helping to foster his own appreciation for the reading of "old books," was and remained a devoted Kantian, albeit one with a particular interest in Kant's juridical philosophy. Ebbinghaus's appointment as Rector of Marburg University in 1946 testifies to his unwavering, if passive, opposition to Nazism during the war years (in marked contrast with such figures as Heidegger and Gogarten) and may shed light on the intellectual and moral qualities that led Strauss to include him, along with Krüger, among the few who shared Strauss's newly-won conviction that recovery of the ability to inquire directly about the truth without the self-defeating assumptions of "historical consciousness" would require ascent from what amounted to a "second cave."^x In any case, Strauss's acquaintance with Ebbinghaus gave Strauss personal access to an intellectually rigorous perspective on Kant's thought that in emphasizing Kant's significant if seemingly unlikely debt to Hobbes differed from those of Krüger^{xi} and the neo-Kantians.^{xii}

As for that further interest: in his early "On the Argument with European Science" written for the Zionist journal *Das Jude* [1924], Strauss had complained that Kant, by providing a means of peaceful coexistence between science and religious tradition "on parallel planes," had eliminated or obscured their "life-and-death struggle for hegemony on the *single* plane of the 'truth':"

Religion was saved not by its own defense, but rather by the self-critique of the critique. Kant "needed to deny knowledge in order to make room for faith." In the context of this self-critique, religion was saved at the price of an idealist, romantic interpretation. However, the more the science of religion (now no longer in need of *criticizing* religion) devoted itself to the concrete actuality of religion, the clearer it became that the claim to transcendence, which . . . was endangered by romanticism and which is the ultimate claim of the specific claim to truth of religion, is also the vital principle of religion. [LSEW, 109]

Strauss's early insight into the price of Kant's defense of religion—one that robbed religion of its appeal to a transcendent truth that could compete directly with the claim of natural science—continued to inform both certain reservations with respect to Cohen,^{xiii} and his interest in the

^x A reference to Plato's famous "cave" allegory in the *Republic* (514a–520a). On Ebbinghaus in this regard, see Strauss's letter to Krüger of 15 October 1931 [GS 3: 393–395] and his 1931 review of Ebbinghaus's *On the Progress of Metaphysics* in *Leo Strauss: The Early Writings (1921–1932)*, trans. and ed. Michael Zank (Albany, NY: State University of New York Press, 2002), 214–15.

^{xi} See in this regard Strauss's later references to Ebbinghaus at (1958, sessions 10, 15).

^{xii} On Kant's ongoing openness to interpretations other than a neo-Kantian one, see 1958, sessions 3, 10; on Krüger's own linkage of Kant with Hobbes, see Strauss's letter of June 28, 1931.

^{xiii} In "On the Argument with European Science" [GS 2: 341–350], originally published in *Der Jude*, 8:10 (October 1924), 613–619] Strauss claims to discover in Cohen a more genuine religious motivation than is initially evident, given his apparent reduction of religion to social ethics: when neo-orthodox Protestants complain that the "entire science of religion has been devised without paying heed to religion" they forget, if they thereby have Cohen in mind, that "the entire context of Cohen's philosophic system rests on religious presuppositions," in marked contrast with an apparent acolyte like Cassirer, for whom, "in a typically idealistic manner," the world of myth "loses its 'compulsory' character of human beings insofar

work of Krüger, whose own early book on Kant brought to light a transcendent religious dimension that neo-Kantian interpretations tended to ignore. Neo-Calvinists like Barth, on Strauss's view, represented an understandable and in some ways healthy reaction to an idealizing and romantic religiosity whose God was little more than a human projection of liberal-humanitarian hopes. Their appeal to the immediate experience of an omnipotent and demanding God, beyond human understanding, exposed the intellectual self-complacency that underlay the so-called "science of religion" that accompanied those hopes. At the same time, in its emphasis on the "concrete situation of the present" at the expense of the tradition, that appeal remained exposed to Heidegger's "atheistic" interpretation of the "call of conscience," opening the door to a more radical understanding of human historicity. Here Cohen's rootedness in the Jewish understanding of divine law served as a useful corrective to the Christian natural law tradition to which Protestant neo-orthodoxy remained hostage willy nilly. And it sheds useful light on Strauss's estimation of the strengths and limits of Kant, Cohen's divergence from whom on just this point Strauss goes out of his way to emphasize.

Strauss treats in greater detail the difference between Christian medieval philosophy on the one hand, and Jewish and Islamic medieval philosophy on the other, in a lecture on "Cohen and Maimonides" delivered in late April 1931, according to a nearly contemporaneous letter to Gerhard Krüger dated May 7.^{xiv} That he had written to Krüger one year earlier (3 May 1930) with a friendly "plea" to be allowed to give a lecture in the latter's Augustine seminar on "Enlightenment in the Middle Ages" with a specific view to "Jewish and Islamic developments" suggests the intensity of his focus on this theme around this time. As Strauss puts it in his earlier letter in addressing what he calls "the problem of the moderate (i.e., non-atheistic) enlightenment" (about which Strauss here claims that Krüger's Kant work taught Strauss "a great deal"):

From an external viewpoint, the situation in the Jewish-Arabic Middle Ages is similar to that of the eighteenth century: prevalence of belief in Providence, prevalence of belief in a gracious God over belief in a God who demands accountability, and *accordingly* belief in the sufficiency of reason. Upon closer inspection, however, there are significant differences. In the eighteenth century, there is the primacy of morality (veneration of Socrates), in the Middle Ages there is the primacy of theory.

Strauss here traces that difference to the peculiar role that "natural law" plays in Christianity as distinguished from Judaism and Islam. As Strauss immediately goes on to say:

as it is read as the mind's own product. Cohen's polemic against myth differs from that of Cassirer in being guided not by an idealistic celebration of "the autonomous human spirit," but by the non-idealist, and genuinely ethical question "to what end?" "In Cohen," as Strauss goes on to say, "the ethical motive of transcendence contains within it . . . the power and depth of the religious motive of transcendence." "In the concrete context of human existence, the transcendence of the Ought in relation to Being, demands by its very nature, as Cohen stated again and again, that ethics be further developed into religion" [LSEW 109-10, 114].

^{xiv} It is not known how much of the text contained in the rather lengthy extant manuscript was actually delivered. See the editor's note, LSM 173.

In the eighteenth century, the “moral law” is developed as a natural right that demands the supplement of a positive, civil law. Natural law does not play a role in Jewish-Arabic philosophy, at least not the role that it has in the course of Christian development. This is connected with the fact that for Jews and Arabs, the positive law is at once both political and “church” law. The positive law of Moses or Mohammed is the *one* binding norm that suffices to lead a life directed toward a (theoretically existing) blessedness. Moses or Mohammed are understood as philosopher-legislators. The presupposition for this is the idea that goes back to the Platonic state. The Jewish-Arabic Middle Ages are thus much more “ancient” than the eighteenth century. By connecting to the ancient ideas of a concrete *nomos* and *nomothetes*, it is also far more capable of accepting the concrete revelatory order than the natural-law focus of the eighteenth century.

Though he does not quite say so, the Jewish and Islamic Middle Ages are also, from this point of view, more “ancient” than the Christian Middle Ages, which introduces a gap between natural and positive law unknown to Plato and of which Kant, along with the entire modern natural right tradition, is a late, if unwitting, inheritor.

This early allusion to Strauss’s own breakthrough insight into the possibility of an enlightenment founded upon different and more adequate premises than that which flourished in the eighteenth century is confirmed in his contemporaneous report to Krüger that in that lecture Strauss had for “for the first time” given public voice to his “thesis about Islamic-Jewish scholasticism (that it understands revelation through the framework staked out in Plato’s *Republic* and *Laws*).” In a passage toward the end of the text that is particularly relevant for our purposes, Strauss writes by way of summary:

The idea [Gedanke] of law, of *nomos*, is what unifies Jews and Greeks: the idea of the *concrete*, binding order of life [verbindlichen Ordnung des Lebens], which is covered over for us by the Christian and the natural-right tradition, this idea [is the one] under whose spell [Bann] at least our philosophical thought moves. By the *Christian* tradition: [I mean the one] that starts out with the radical law *critique* of the Apostle Paul. By the *natural-right* tradition: [I mean the one] that stipulates an *abstract* system of norms which must first be filled [ausgefüllt] and made serviceable by *positive* right. Cohen himself puts us on the road to the recovery of this basic concept of mankind/humanity [Grundbegriffs der Menschheit], by replacing the viewpoint of disposition/intention [Gesinnung]^{xv} with that of action [Handlung], by orienting his ethics fundamentally to jurisprudence, by which he teaches that there is no self-consciousness [das es kein Selbstbewusstsein gibt] “that is to be achieved without regard for the state and without guidance through the idea of the state, in [all of] which he is by being a *political philosopher* filled [erfüllt] with political passion. [2: 429; LSM 221]

In what may be his earliest public use of the term “political philosophy,”^{xvi} Strauss points both to the limitations of Kant, and to the resources that allowed Cohen, for all his socialist-humanitarian

^{xv} Cf. 1958 seminar, session 4.

^{xvi} For the fullest explicit discussion, see “What is Political Philosophy?,” 9-55. In “Cohen and Maimonides,” Strauss already stresses the necessary ambiguity of the term. For an alternative account, see Rodrigo Chacon, “Reading Strauss from the Start: on the Heideggerian Origins of ‘Political

susceptibilities, to dispel the “Bann” under which modern political thought continues to labor. The term “Bann” signifies both “spell” and “ban,” as in “ban of excommunication.” And there can be little doubt that Strauss means that religious note to register. Cohen regards his subject from the standpoint of “action” rather than “disposition” or *Gesinning*, a Kantian term of art that is the direct descendant of the biblical-Augustinian demand for “purity of heart.” At the same time, Cohen’s own concrete political passion counters the narrowness of his Kantian conception of ethics, reorienting him despite himself away from the abstract conception of self-consciousness that informs modern philosophy from its beginning. Self-consciousness for Cohen is unthinkable without a burdened awareness of the concrete laws that accompany a specific way of life – i.e., what Strauss will later call a “awareness of sacred restraints.”^{xvii} In this crucial instance, Cohen, despite his general intellectual commitment to Kantianism, strays beyond Kant’s own reliance on a “transcendental dialectic” based wholly in “theoretical consciousness” [SCR 37]. On the basis of that dialectic, Kant had tried to “limit knowledge in order to make room for faith,” thereby rendering religion immune to scientific criticism. He thereby lifted science and religion to “separate planes” in which genuine conflict seems to be impossible in principle. Cohen’s grounding of metaphysics “in the context of [his] religion” brings them back into alignment on a single plane of inquiry. His “passion” on behalf of his own people and related understanding of the original meaning of divine law point toward what Strauss had earlier called a metaphysics that is “by origin *more* than pure theory,” toward the “extra something” that “throws a bridge between science and religion” and thereby makes the scientific (i.e., genuinely philosophic) criticism of religion again possible [1: 66, SCR 37].

This impression as to the historical importance, as Strauss sees it, of the divergent medieval approaches to the law is confirmed in a subsequent letter to Krüger, in which he gently corrects Krüger’s identification of “natural law” with natural right in a genuinely Platonic (and Aristotelean) sense.

At the same time, Strauss’s ongoing efforts to recover the possibility of a non-Epicurean theoretical alternative, an alternative that he seems to have associated from an early date with Plato, informed Strauss’s first extended treatment of Hobbes, in which the shadow of Kant is not hard to discern.^{xviii} Like his contemporary Descartes, Hobbes seeks to shield men from the discomfiting possibility of a wholly arbitrary and omnipotent God by beginning with what man can assure himself of with certainty: in Descartes’s case, the perceived necessity contained in self-reflective thought; in Hobbes’s case, the felt necessity of the world’s resistance.^{xix} Kant’s

Philosophy,” *European Journal of Political Theory* 9 (2010): 287-307. Chacon, in my view, draws much too sharp a distinction between Strauss’s early and later uses of the term. On the continuity of Strauss’s usage, see especially his interest at this time in Lessing, and especially the dialogue “Ernst and Falk.” See Strauss, “A Remembrance of Lessing” (1937), [2: 607-8]; “Esoteric Teaching” (1939); cf. “Reason and Revelation,” *LSTPP*, 178-9.

^{xvii} Leo Strauss, *On Tyranny, Revised and Expanded Edition*, ed. Victor Gourevitch and Michael S. Roth (New York: The Free Press, 1991), 192.

^{xviii} See, for example, his letter to Krüger of Oct 15, 1931.

^{xix} On Kant’s relation to Descartes, see also 1958 seminar, session 12: Kant, as Strauss there puts it, “wants morality to apply equally to God” in order to “secure us against any theological objections to the perfect sovereignty of man,” i.e., to leave us not “unprotected . . . against God” by establishing a sphere of uniquely human responsibility in which “no God, however powerful, can have power over man.” 1958 seminar, sessions 10, 12. Strauss’s analysis seems to draw partly on Krüger’s own early essay on

“transcendental dialectic,” it would seem, combines these two insights while at the same time incorporating their joint indifference or blindness to the fact that while *knowledge* of the acts of an omnipotent God (i.e., “miracles”) might be thus foreclosed (i.e., by defining “knowledge” in an especially narrow way) the sheer *possibility* of miracles was not. Given Strauss’s project at the time, this limitation on Kant’s part would have been enough to convince Strauss, even before the breakthrough inspired by his reading of Alfarabi and Maimonides in the late 1920’s and early 1930’s, that Kant’s philosophy, whatever other interest it might hold, was theoretically speaking a dead end.^{xx}

In sum: Strauss’s early appreciation for Kant’s thought was more complex than can be captured by the word “rejection,” nor was he as unsympathetic as might appear from his very early dissertation on Jacobi, a particularly influential contemporary critic of Kant.^{xxi} Indeed, it would be only a slight exaggeration to say that Kant, as differently interpreted by Cohen, Krüger, and Ebbinghaus, provided Strauss with the *motif* that led him to undertake serious studies of both Spinoza and Hobbes with a view to uncovering the ultimate roots of modern liberal thought. That Kant’s moral appropriation of medieval natural law could make him seem to be a “Christian” at heart while remaining in most other respects a “modern” might well have prompted Strauss, himself intent on making the ascent from modernity’s “second cave,” to seek out other, non-Christian pre-modern sources, in which “natural law” featured less prominently, if at all—sources that would in turn guide his own re-orientation.

But there was to be a “third act” of theoretical engagement with Kant’s thought, following upon the “shipwreck” that Strauss refers to in a 1946 letter Karl Lowith,^{xxii} and that culminated in a renewed grappling with the challenge of revelation as posed by

Descartes, which Strauss praises in his letter of 12 May 1935. Cf. Krüger, “Die Herkunft des philosophischen Selbstbewusstseins,” *Logos* 22 (1933); an English translation (“The Origin of Philosophical Self-Consciousness”) was published in *The New Yearbook for Phenomenology and Phenomenological Philosophy* (2007), 209-59.

^{xx} In a final, and perhaps unsent, letter to Krüger (his correspondence with whom would not resume until June 1958), Strauss grants that he is now far more willing to concede Krüger’s view that “Kant is really the only Platonist among the modern philosophers.” At the same time, Strauss also holds the “Christian tradition” to task for the “main deficiencies of traditional conceptions of Plato—even in today’s research”—an allusion, it would seem, to Heidegger as much as to Krüger, who continues to be more “convinced” that “historicity as such is a philosophic problem” than is Strauss (thanks to his own discovery of a path back to Plato via Alfarabi). Letter of Dec. 25, 1935 (unsent draft). For a late discussion of Kant’s “Platonism,” see 1967 seminar, session 7.

^{xxi} For a thorough account of Strauss’s qualified debt to Jacobi, see David Janssens, “The Problem of the Enlightenment: Strauss, Jacobi, and the Pantheism Controversy,” in *Reorientation: Leo Strauss in the 1930’s*, ed. Martin Jaffe and Richard S. Ruderman (New York: Palgrave Macmillan, 2014).

^{xxii} See Meier, LSTPP, 29; cf. WIPP 78-94 (cited in Shell, CCS, 192n). Accordingly, as he puts it in an accompanying note, Strauss “find[s] himself” compelled to change his work plans, which presumably included a previously outlined book, to be “tentatively entitled *Philosophy and Law: Selected Essays*,” which was devoted to the subject of esotericism and was to culminate with a chapter on the “Pantheism” controversy. Strauss’s subsequent treatments of the history of natural right no longer link, in the manner of his earlier writings, the Christian understanding of natural law with the emergence of historicism, now presented as the culminating moment of the three “waves” of modernity initiated by Machiavelli.

Kierkegaard and his neo-orthodox followers.^{xxiii} According to this new formulation, the significant alliance was not Alfarabi and Maimonides against Aquinas (on the nature of law) but Judaism and Catholicism against radical Reformation Protestantism (on the nature of faith) [LSTPP, 177]. Strauss presents that challenge in a paper on “Reason and Revelation” delivered at the Hartford Seminary in 1948, which culminates in a complex and highly condensed dialogue between the competing claims of philosophy and revelation to represent “the one thing needful.”^{xxiv} That these claims are, indeed, mutually exclusive as well as jointly comprehensive is the concluding theme of that essay, and it involves setting to rest an argument—one that Strauss here links with Kant—that reconciles reason and revelation by denying revelation and philosophy or science a common plane of dispute, an argument that ultimately proves devastating to philosophy itself. For—as Strauss goes on to assert—so long as the philosopher cannot rule out the possibility of revelation, philosophy becomes something “infinitely unimportant” and hence indefensible on its own terms.

Without entering into the details of Strauss’s argument, which at times verges on the fragmentary, one cannot help noticing the importance of Kant’s role both in placing science and revelation onto separate planes between which dispute, and hence refutation, is no longer possible (a key theme of Strauss’s work in the late 1920’s, as we have seen), and in furthering the modern obfuscation of the primary moral and political phenomena that ultimately gives rise to radical historicism.^{xxv} So long as philosophy confines itself to the argument that the “fact of revelation” cannot be known as such (i.e., that *knowledge* of miracles is impossible, but not miracles themselves), revelation can reply that this tacitly presupposes the identity of “being” with “evidently knowable.” “It is *this* fact,” as Strauss here puts it, “which gave rise to Kant’s Critique of pure reason, to his distinction between the phenomenon and the Thing-in-itself: Kant’s ‘idealism’ is an *attack* on the ‘idealism’ of classical philosophy.” Were we to leave matters here, the consequence for philosophy would be a “radical revision of fundamental reflections of classical philosophy . . . along the lines of Kant’s Critique of Pure Reason” [LSTPP 177].^{xxvi}

That Strauss does not leave matters here but presses on to assert that (pace Kant) philosophy and revelation *do* make claims about actual things, thus opening revelation to the possibility of refutation, underscores the fundamental weakness of the Kantian strategy: philosophy and revelation cannot be assigned separate spheres or planes inasmuch as “they make assertions

^{xxiii} While Strauss mentions both Bultmann and Gogarten, he focuses on the Swiss theologian Emil Brunner, from whose *Reason and Revelation* (1946; original German edition 1941), Strauss quotes at some length (and whose title he both imitates and, in order to “clarify the issue,” implicitly corrects [LSTPP 141]). On Brunner, see also Strauss’s November 26, 1946 letter to Löwith [3: 671]. For a fuller discussion of Strauss’s treatment of neo-orthodoxy, see Daniel Tanguay, *Strauss: an Intellectual Biography* (New Haven: Yale University Press, 145-66).

^{xxiv} Cf. *Luke* 10: 41-2.

^{xxv} On Strauss’s understanding of both the genealogy and the importance of this obfuscation see his essay on Collingwood [Review of *Metaphysics* 5 (1952): 559-586].

^{xxvi} There is some question as whether these notes properly belong to the period in which he composed “Reason and Revelation,” or, instead, to Strauss’s earlier lecture on “Jerusalem and Athens” which was delivered in November 1946, much closer to the date of his “shipwreck” letter to Löwith. (I am very grateful to David Bolotin and Peter Hansen for drawing my attention to this issue.)

about the *same* subject: about the world and human life” [LSTPP 171]. Kierkegaard and his followers defended their faith in the only way remaining:

To *exclude* the possibility of refutation radically, there is only one way: that faith has no basis whatever in human knowledge of actual things. This view of faith is not the Jewish and the Catholic one. It was prepared by the Reformers and reached its climax in Kierkegaard. [LSTPP 177]

Strauss’s longstanding objection to the Kantian strategy of separate spheres is here sharpened by an encounter with Kant’s existentialist legacy. To defend faith more adequately even than Kant (who cancelled knowledge in order to make room for faith), Kierkegaard’s “knight of faith” no longer grounds his belief in worldly knowledge of any kind, with the sole exception of the fact that some individuals once believed that “God appeared among [them]. . . , lived and died” [LSTPP 178; cf. 156]. But even Kierkegaard (and perhaps especially he) falls victim no less than Kant to what Strauss here calls the “*basic fallacy, of faith*,” namely, “the attribution of *absolute* importance to *morality* (the pure heart)” [177].^{xxvii} Strauss leaves matters at the suggestion that it is here that the “bridge,” as he once called it, linking philosophy and revelation genuinely lies; i.e., in a consideration of those primary moral and political phenomena from which classical political philosophy itself first emerged.

We are now in a better position to take up the two Kant courses for which transcripts are available.^{xxviii} Both courses cover more readings from a greater variety of works than is common in Strauss’s seminars, no doubt signaling a general conviction on his part that Kant’s political philosophy could be properly approached only given some understanding of his thought as a whole. In each course Strauss is concerned both with the genesis of Kant’s thought—with particular emphasis on the decisive influence of both Hume and Rousseau—and with the meaning or intention of Kant’s work from Kant’s own point of view. And in each he makes glancing, yet telling, allusions to Kant’s legacy especially as it pertains to existentialism, both

^{xxvii} Compare, in this regard, the “radical existentialism” of Heidegger, who, recognizing the impossibility of ethics, was permeated, as Strauss later puts it, by awareness of the “abyss of freedom” that this “fact” opens up [RCPR 28-9, 34]. See also 1959 seminar, session 6; Strauss here traces Kant’s treatment of justice in a way that guarantees its “realizability” partly to the importance for him of morality. At the same time, Strauss also suggests that freedom may count for Kant even more than morality itself, contributing to the peculiar tension in his understanding of the just order as both morally required and in itself a-moral (1958 seminar, session 8).

^{xxviii} The 1958 seminar treats (in the following order): *Prolegomenon* (Introduction), *Critique of Pure Reason* (prefaces and select passages), *Idea for A Universal History with Cosmopolitan Intent*, *Theory and Practice*, *Idea for a Universal History*, *Perpetual Peace*, *Fundamental Principles of the Metaphysics of Morals*, *The Critique of Judgment* (select passages); the main text is: *The Philosophy of Kant: Immanuel Kant’s Moral and Political Writings*, ed. Carl J. Friedrich (New York: Modern Library, 1949). The 1967 seminar treats (in the following order): *The Critique of Pure Reason* (selections), *Metaphysical Foundation of Morals*, *What Is Enlightenment?*, * *Idea for a Universal History*, *A Critical Review of J. G. Herder’s Ideas for a Philosophy of History*, * *Conjectural Beginning of Human History*, * *Theory and Practice*, *The End of All Things*, * *Perpetual Peace*, *An Old Question Raised Again*. * Course texts include both *The Philosophy of Kant*, and *On History*, ed. Lewis White Beck (New York: Library of Liberal Arts, 1963); works drawn from the latter are here marked with an asterisk.

Kierkegaardian and Heideggerian (1958 seminar, sessions 4, 16; 1967 seminar, sessions 3, 8, 17).

The overt topic of both courses is the status of Kant's philosophy of history, which "as it were, raises its head at the gates of Kant's thought, and yet . . . does not get a proper entry" (1958 seminar, session 3; 1967 seminar, sessions 1, 2). Whereas in *Natural Right and History* Kant figures as little more than a way station between Rousseau and a full-fledged philosophy of history, Strauss pauses in his seminars to explicitly consider why Kant himself did not take this step. The simple answer is the availability, within Kant's critical system, of the morally more satisfactory alternative represented by the two postulates of pure practical reason—namely, belief in God and in the immortality of the soul. That Kant is drawn toward a philosophy of history nonetheless mainly arises from certain peculiarities of his understanding of morality, which are themselves largely rooted in the influence of Rousseau, a theme Strauss had more fully explored in "On the Intention of Rousseau" and in *Natural Right and History*.^{xxix} Among these peculiarities is a combination of "idealism" and "realism" that is uniquely modern (1958 seminar, sessions 10, 14; 1967 seminar, session 17). On the one hand, Kant wishes to return to a classical understanding of morality as something to be valued for its own sake; on the other hand, he does so on the basis of a modern, and ultimately Hobbesian, prioritizing of rights over duties, and with an emphasis on human sovereignty (and related defense against divine omnipotence) that is foreign, albeit for different reasons, to both the Biblical tradition and to the spirit of Plato and Aristotle (1958 seminar, sessions 2, 10).

More specifically: the general will that in Rousseau gives rise to laws that cannot be unjust (1958 seminar, session 11; 1967 seminar, session 2) and which provides the formal model for Kant's categorical imperative, is itself grounded in motives of self-preservation that Kant wishes radically to transcend in the name of "freedom" or reason understood as "spontaneity" (1958 seminar, session 2; 1967 seminar, session 8). At the same time, the resulting moralization of Rousseau's thought, as reflected in Kant's famous confession that Rousseau "turned [him] around/brought [him] into the right shape" (1958 seminar, session 1; 1967 seminar, session 1), goes hand in hand with an appropriation on Kant's part of Rousseau's Profession of Faith of the Savoyard Vicar that succeeds better than the latter in elaborating a morally based metaphysics. (1967 seminar, session 4).

^{xxix} Strauss's *Natural Right and History*, based on lectures delivered in 1949, appeared in 1953; a later essay on "Natural Law" (1968), was republished in the SPPP (1983), which appeared posthumously. Here, as well as in *Natural Right and History* and his earlier essay "On the Intention of Rousseau" (1947), Strauss traces the immediate source of Kant's obfuscation to his misunderstanding of Rousseau that "led, and leads, directly to Kant's assertion of the primacy of practical reason." One purpose of Strauss's 1947 essay was to correct that misunderstanding as recently reaffirmed by both a contemporary editor, whose authoritative edition of Rousseau's work provides the occasion for Strauss's essay—and, though it is not mentioned, in Cassirer's posthumously published *Rousseau-Kant-Goethe*. See Strauss, "On the Intention of Rousseau," *Social Research* 14 (1947): 462; cf. Jean-Jacques Rousseau, *Discours sur les sciences et les arts* [Édition critique avec une introduction et commentaire par George R. Havens] (New York: Modern Language Association of America, 1946) and Ernst Cassirer, *Rousseau-Kant-Goethe: Two Essays*, trans. James Gutmann, Paul Oskar Kristeller, John Herman Randall, Jr. (Princeton: Princeton University Press, 1945). Needless to say, "intention" here does not mean *Gesinnung* or intention in a Kantian sense. (Cf. LSTPP 162 and note 10 above.)

Kant, as Strauss puts it in his 1968 essay on “Natural Law,” draws the “incisive conclusion” from Rousseau’s “epoch-making innovations” (above all, with respect to human “malleability”) that Rousseau himself declined to state:

The Ought cannot be derived from the Is, from human nature; the moral law is not a natural law or derivative from a natural law; the criterion of the moral law is its form alone, the form of rationality, *i.e.*, of universality. [SPPP 145]

It is Rousseau rather than Hume, on Strauss’s account, who provokes Kant’s fateful severing of the “ought” from the “is.” At the same time, his accompanying transformation of natural right and natural law “into a law and a right which is rational but no longer natural” coincided, as Strauss tersely concludes, with Burke’s politically opposing effort to recover a non-revolutionary or pre-modern natural law that had the unwanted effect of preparing “decisively” the transition from “natural law to the ‘historical school.’” Strauss here sketches in a few deft strokes the seemingly missing chapter in his earlier *Natural Right and History*, which contained dedicated and lengthy treatments of Rousseau and Burke while hardly mentioning Kant (or Hegel); and it may, as such, provide an outline of the German “sequel” to *Natural Right and History* that Strauss is rumored to have once contemplated.

One suspects that Strauss had his planned essay on “Natural Law” especially in mind when presenting his 1967 seminar on Kant, which particularly stresses the limitations of Kant’s formalized politics, a topic that serves as the course’s culminating theme.^{xxx} His earlier course (1958), by way of contrast, treats Kant’s political writings (or what Strauss there calls the “periphery”) *before* rather than *after* Kant’s moral writings, and with a view to seeing what he “was driving at in practical terms” (1958 seminar, session 12). Strauss also presents Kant in a somewhat more sympathetic light in the earlier course, speaking appreciatively at one point of his “moral pathos” (1958 seminar, session 10; cf. session 11),^{xxxi} and of an accompanying power of expression (particularly with respect to the unconditional goodness of good will) that makes it difficult “to come to one’s senses” (1958 seminar, session 12).^{xxxii} And Strauss offers a searching discussion (largely absent from the later course) both of the limitations of Kant’s position and of Plato’s alternative understanding of the one good that “cannot be misused” (1958 seminar, sessions 12, 14, 15; cf. 1967, sessions 2, 5, 6, 17). If Strauss was indeed especially preoccupied in 1967 with questions of natural law, he seems to have been more deeply engaged, in his earlier course, in exploring the question of what Kant himself was really after (1958 seminar, sessions 2, 3, 4, 12, 16; cf. 1967 seminar, session 17).

List of Title Abbreviations

GS = *Gesammelte Schriften*, ed. Heinrich Meier, 3 vols. (Verlag J. B. Metzler, 2008)

^{xxx} Cf. 1958 seminar, sessions 7, 8, 11; 1967 seminar, sessions 1, 2, 4, 7, 11, 12, 14, 15, 16, 17.

^{xxxi} Cf. Strauss’s 1928 review of Freud [LSEW 203].

^{xxxii} At one point Strauss even offers Kant a “Churchillian” defense! 1958 seminar, session 11.

LSEW = *Leo Strauss: Early Writings (1921-1932)*, ed. and trans. Michael Zank (SUNY Press, 2002)

LSM = *Leo Strauss on Maimonides: The Complete Writings*, ed. Kenneth Hart Green (University of Chicago Press, 2012)

NRH = *Natural Right and History* (University of Chicago Press, 1953)

PAW = *Persecution and the Art of Writing* (Free Press, 1952)

RCPR = *The Rebirth of Classical Political Rationalism* (University of Chicago Press, 1989)

SCR = *Spinoza's Critique of Religion*, trans. Elsa Sinclair (University of Chicago Press, 1965)

SPPP = *Studies in Platonic Political Philosophy* (University of Chicago Press, 1983)

WIPP = *What is Political Philosophy? and Other Studies* (Free Press, 1959)

Meier, HSTPP = Heinrich Meier, *Leo Strauss and the Theological-Political Problem* (Cambridge University Press, 2006)

Shell, CCS = Susan Shell, "Conception of Civil Society," *Journal of Democracy*, July 1994

The Leo Strauss Transcript Project

Leo Strauss is well known as a thinker and writer, but he also had tremendous impact as a teacher. In the transcripts of his courses one can see Strauss comment on texts, including many he wrote little or nothing about, and respond generously to student questions and objections. The transcripts, amounting to more than twice the volume of Strauss's published work, add immensely to the material available to scholars and students of Strauss's work.

In the early 1950s mimeographed typescripts of student notes of Strauss's courses were distributed among his students. In winter 1954, the first recording, of his course on natural right, was transcribed and distributed to students. Strauss's colleague Herbert J. Storing obtained a grant from the Relm Foundation to support the taping and transcription, which resumed on a regular basis in the winter of 1956 with Strauss's course "Historicism and Modern Relativism." Of the 39 courses Strauss taught at the University of Chicago from 1958 until his departure in 1968, 34 were recorded and transcribed. After he retired from Chicago, recording of his courses continued at Claremont Men's College in the spring of 1968 and the fall and spring of 1969 (although the tapes for his last two courses there have not been located), and at St. John's College for the four years until his death in October 1973.

The surviving original audio recordings vary widely in quality and completeness, and after they had been transcribed, the audiotapes were sometimes reused, leaving the audio record very incomplete. Over time the audiotape deteriorated. Beginning in the late 1990s, Stephen Gregory, then administrator of the University's John M. Olin Center for Inquiry into the Theory and Practice of Democracy funded by the John M. Olin Foundation, initiated digital remastering of the surviving tapes by Craig Harding of September Media to ensure their preservation, improve their audibility, and make possible their eventual publication. This project received financial support from the Olin Center and from the Division of Preservation and Access of the National Endowment for the Humanities. The remastered audiofiles are available at the Strauss Center website: <https://leostrausscenter.uchicago.edu/courses>.

Strauss permitted the taping and transcribing to go forward but did not check the transcripts or otherwise participate in the project. Accordingly, Strauss's close associate and colleague Joseph Cropsey originally put the copyright in his own name, though he assigned copyright to the Estate of Leo Strauss in 2008. Beginning in 1958 a headnote was placed at the beginning of each transcript: "This transcription is a written record of essentially oral material, much of which developed spontaneously in the classroom and none of which was prepared with publication in mind. The transcription is made available to a limited number of interested persons, with the understanding that no use will be made of it that is inconsistent with the private and partly informal origin of the material. Recipients are emphatically requested not to seek to increase the circulation of the transcription. This transcription has not been checked, seen, or passed on by the lecturer." In 2008, Strauss's heir, his daughter Jenny Strauss, asked Nathan Tarcov to succeed Joseph Cropsey as Strauss's literary executor. They agreed that because of the widespread circulation of the old, often inaccurate and incomplete transcripts and the continuing interest in Strauss's thought and teaching, it would be a service to interested scholars and students to proceed with publication of the remastered audiofiles and transcripts. They were encouraged by

the fact that Strauss himself signed a contract with Bantam Books to publish four of the transcripts although in the end none were published.

The University's Leo Strauss Center, established in 2008, launched a project, presided over by its director, Nathan Tarcov, and managed by Stephen Gregory, to correct the old transcripts on the basis of the remastered audiofiles as they became available, transcribe those audiofiles not previously transcribed, and annotate and edit for readability all the transcripts including those for which no audiofiles survived. This project was supported by grants from the Winiarski Family Foundation, Mr. Richard S. Shiffrin and Mrs. Barbara Z. Schiffrin, Earhart Foundation, and the Hertog Foundation, and contributions from numerous other donors. The Strauss Center was ably assisted in its fundraising efforts by Nina Botting-Herbst and Patrick McCusker of the Office of the Dean of the Division of the Social Sciences at the University.

Senior scholars familiar with both Strauss's work and the texts he taught were commissioned as editors, with preliminary work done in most cases by student editorial assistants. The goal in editing the transcripts has been to preserve Strauss's original words as much as possible while making the transcripts easier to read. Strauss's impact (and indeed his charm) as a teacher is revealed in the sometimes informal character of his remarks. Readers should make allowance for the oral character of the transcripts. There are careless phrases, slips of the tongue, repetitions, and possible mistranscriptions. However enlightening the transcripts are, they cannot be regarded as the equivalent of works that Strauss himself wrote for publication.

Nathan Tarcov, Editor-in-Chief
 Gayle McKeen, Managing Editor
 August 2014

Editorial Headnote

The course was taught in seminar form. Strauss began class with general remarks; a student then read aloud portions of the text, followed by Strauss's comments and responses to student questions and comments. The texts assigned for this course were *The Philosophy of Kant: Immanuel Kant's Moral and Political Writings*, edited by Carl Friedrich (Modern Library, 1949), *The Critique of Pure Reason*, edited by Norman Kemp Smith (Macmillan & Co., 1929), and *The Critique of Practical Reason and Other Writings in Moral Philosophy*, translated by Lewis White Beck (University of Chicago Press, 1949). Original spelling has been retained. Citations are included for all passages.

Audiotapes are available for all but one session of this course. This transcript is based upon remastered audiofiles, unless otherwise noted.

This transcript was edited by Susan Shell, with assistance from Kimberley Stewart and David Wollenberg.

Session 1: March 31. Introduction

Leo Strauss: There is a certain difficulty regarding this seminar, because the texts which we must read are much more difficult to read than the ones we read previously, for example, Locke. There are even very great difficulties with Locke, but I think every reader of normal intelligence reading ten pages in Locke, whichever they may be, can give an account of what he read without too great a difficulty because immediately he begins to understand. In the case of Kant it is by no means so easy. So what should I do? I will try to distribute some papers,ⁱ if I get any takers.

Now today I will give a general introduction. I hope I can finish it today; if not, I may need the next meeting and the paper will be a little bit later. Now we have to be cautious. Now the first text we have to read will be the introduction to the *Prolegomena*.¹ This introduction is about ten pages in the Modern Library edition.²

Well, all right. I can only make this suggestion, but this I do with great trepidation: if you could find the time to read also³ the two prefaces to the *Critique of Pure Reason* it would be better, but you are not obligated.⁴ The item to which we turn then is Kant's essay called "Ideas for a Universal History"—or how does he translate it?—"Idea for a Universal History with Cosmopolitan Intent."⁵ That would be due next Monday at the earliest. Who would be willing to do that? Sixteen pages text. Again, I would say in this case if the student who does it would read German, he should read two other writings on⁶ the philosophy of history by Kant, also short; one on a "Critique of Herder's Philosophy of History" and another on the "Presumptive Origin of Human History" . . . which are not immediately available in English translations. Now who is willing to do this paper on the "Idea of Universal History"?ⁱⁱ Then I will indicate the other papers in the hopes that someone will take this by next Wednesday. The fourth subject we will treat is "Theory and Practice"⁷ to which one should add an article called "The Principle of Progress," which you find in English translation in Kant's *Eternal Peace* translated by Hastie.⁸ That's number four. Number five is an essay called "Public Law," in this same edition of *Eternal Peace* by Hastie, pages 131 to 168.⁹

"Public Law" and "Eternal Peace," edited by Hastie, pages 131 to 168; that is a section from Kant's *Metaphysics of Morals*. And then we come to Kant's "Perpetual Peace,"¹⁰ of which you will find a complete translation in the¹¹ Little Library of Liberal Arts [edition],¹² and we [will] discuss in one meeting the text, the body of this book. And in the seventh meeting¹³ the supplements [to "Perpetual Peace"], the things which are called by Kant *Zusätze* or, in the English translation, supplements.¹⁴ [There are] about twenty pages in the body and more than twenty pages in the supplements. Those are meetings six and seven. Now in the eighth meeting we have to discuss two points in the *Critique of Pure Reason* and I will do this in the form of a

ⁱ It was usual in Strauss's seminars that after the first meeting, the session began with the reading of a student paper, followed by Strauss's comments on it. The reading of the papers was not recorded.

ⁱⁱ There is no response from the students. Though it is usual editorial policy to delete material relating to assignments, in this case the assignments are part of Strauss's setting out of the thematic organization of the course and are hence related to its substance.

discussion with you of certain selected texts from the *Critique of Pure Reason*, and we do not need a paper for that. And then in meetings nine through thirteen we plan to discuss the *Fundamental Principles of¹⁵ the Metaphysics of Morals*, which is also available in complete translation in the Little Library of Liberal Arts. The last three meetings I thought we would read selected passages from the *Critique of Practical Reason* and the *Critique of Judgment*. Now this all presupposes that the difficulties are not such as to compel us to stop at certain points and to devote more than one meeting to a given subject, contrary to what I tentatively assume. We are not after all in a very great hurry; we want to understand something and if we understand better by sticking to forty pages of Kant then we may very well do so. But we do need some overall understanding of Kant's overall intention.¹⁶

Now I turn to an introduction. The seminar is meant to deal primarily with Kant's philosophy of history. I will explain the problem and I will also explain why it is reasonable to begin the study of Kant, or our study here of Kant, with his philosophy of history. Now let us begin at the beginning.

When we read today a social science study and are not completely drowned by certain conventions, we raise the following canon of criticism, I think, apart from the ordinary canons of criticism: Is it clear? Is it coherent? and so on and so on, namely, whether the author does not figure right or wrong turns. Whenever we come across such a book, our interest decreases enormously. Now what does this mean?¹⁷ We mean this: that no one can be an intelligent and competent student of society, our society, unless he is aware of the crisis of our time. If he is unaware of it, if he takes for granted that he has centuries and centuries in order to build up a perfect picture of the power structure of the state of Montana, then there is something wrong with that man. Now such awareness of the crisis of our time implies that we recognize the peculiar character of said crisis as distinguished from other crises. It presupposes a historical perspective, historical self-consciousness—being aware of ourselves as belonging to a peculiar time. This historical self-consciousness seems to be the beginning of any possible wisdom. Philosophizing, if we may use that word, seems to be radically historical. Now this view has a great plausibility today and it is very hard to hit on some solid ground before one can raise any objection to it.¹⁸ Today one can say that those who lack that historical self-consciousness or are not animated by it do not fulfill the requirement necessary today of serious discussion. And I would assert this as simply true: If one comes across a present-day writer who shows no awareness of that—I am speaking now rather in the social sciences, not in mathematics—then¹⁹ we know that there is something wrong with that man. But there is still a difficulty here, of which we must remind ourselves immediately, namely, in the past all philosophizing was non-historical. Is not philosophy essentially non-historical, concerned exclusively with the essential and the permanent rather than with the transitory and ephemeral?

Now here we must make a distinction, namely, the distinction between modern and premodern philosophy. Modern philosophy, at least from a certain moment on—and it is very hard to say whether this moment does not coincide with the very beginning of modern philosophy—modern philosophy is/was philosophically concerned with history, and more particularly with the historical situation in which the philosopher philosophizes. Fairly late was it explicitly said, by Hegel, that every philosopher is the son of his time.ⁱⁱⁱ Today that is a trope but it took such a long

ⁱⁱⁱ In the preface to the *Philosophy of Right*, Hegel remarks that every individual is the son of his time.

time until Hegel said that. And Hegel meant by this that not only does he wear the ties or the shirts belonging to that time (that was of course always known) but that in his philosophizing he is essentially the son of his time. That is²⁰ a phenomenon peculiar to modern philosophy. The external sign of this is a very simple fact: the term philosophy of history is only about two hundred years old. As far as I have been able to find out, it was coined by Voltaire in 1751, so that if we are strict (or if you please, pedantic), we must say that philosophy of history as such does not exist prior to 1750, which does not mean that some things which one may call philosophy of history did not exist before, but they were not themselves necessarily philosophy of history. Now the question which I have in mind is this: there is a crisis, the crisis of our time. Is this crisis not the crisis of modern thought as such? Namely,²¹ does the crisis not consist in the collapse of beliefs which were held by modern men for some centuries and by the ensuing lack of orientation?

Now let us²² state this general philosophic problem in a somewhat different way. Philosophy of history: What did it mean when Voltaire coined the word? A reasoned—*raisonné*—a reasoned study of history, i.e., of records, of records of the past. Today philosophy of history means very frequently (and it certainly means that in Hegel) the understanding not of reports, of records, but of a dimension of reality. When people speak of philosophy of history they frequently mean by history something analogous to nature. Philosophy of nature is not the philosophy of the study of nature. Similarly, philosophy of history is not²³ the philosophy of human concern with history but of something which is also called since Hegel the historical process. That's a very strange thing.

Let us begin. What is the original meaning of history? It is a Greek word, it means something like²⁴ inquiry, to make inquiries. From this point of view,²⁵ what a scientist does is of course also history. You know, the term "natural history" was still used in my childhood for the description of plants and animals. I do not know whether this use was common when you went to school. That was certainly a very common meaning, stemming from Aristotle and rather massive in Bacon and so on. So history means originally inquiry, *any* inquiry; but it took on very early, it seems, a special meaning, namely, such inquiries as are inquiries *with* human beings. If you make an inquiry²⁶ about an animal²⁷ you do not necessarily ask people about that beast you want to study. You look at the beast, you dissect it, and so on. That's the true inquiry of that beast. But there are other things in which you cannot possibly find out the truth except by inquiring with people. For example, what happened when you were very, very young or when you were not yet born, you cannot possibly know except by inquiring with older people. And²⁸ the step from inquiring with people who are older than you to people who lived generations before you is easy to take, because if you look up old files or old letters of²⁹ people generations before you, you do fundamentally the same as if you asked your grandfather about what happened in his village or wherever it was seventy years ago. So at any rate, the term history took on this meaning of inquiring with other people, and therefore the study of such things the truth regarding which can only be found by inquiring with other people. We may loosely say, or not so³⁰ [loosely], the study of human actions and human speeches and human thoughts; loosely, the study of important events. Important events can be understood as important changes in human affairs, because if things do not change we ordinarily do not speak of events. The most famous Greek historian, Thucydides, describes the subject matter of his work as a change very emphatically, *kinēsis*: changes in institutions, in laws, in thoughts, in beliefs, and so on. And therefore also history can

come to mean the study of those laws, institutions, beliefs, and so on, *qua* changed, i.e. *qua* having come into being.

Now philosophy of history as it is now understood means that these changes form an ordered sequence³¹. There is the accidental and the chance occurrence, but the accidental is subordinated to the lawful, or orderly, or meaningful. That is the necessary implication of philosophy of history. This notion has emerged in the modern centuries (I will speak of this in somewhat greater detail later) and it³² became questioned generally by the precise historical research³³ which began in the second half of the nineteenth century, and so some people made remarks to the effect—a British historian—that³⁴ he would feel very badly if he were compelled to charge a fellow historian with having a philosophy of history.^{iv} In other words,³⁵ no sober study of the past entitles one to speak of an ordered sequence in the sense in which a philosophy of history asserted.

But something else emerged which is of more immediate importance to us today than the philosophy of history, and this is the following point:³⁶ an opinion, a view which I will call, as it is frequently called at least in continental Europe, historicism. Now historicism does not necessarily say³⁷ that historical changes form an ordered sequence, but what it necessarily says is this: that man, every man, is radically dependent [at]³⁸ his most human on the place he finds himself in that sequence, regardless of whether that sequence is orderly or not. The individual is the son of his time. Historicism says this, as did Hegel. But whereas Hegel meant that the sequence of times is a meaningful whole, and therefore there was no danger in being the son of your time because that made you a member of a rational whole (the whole rational, meaningful, orderly process), historicism as such takes away this comfort. We radically depend on something which is simply mysterious and cannot be conceived of in terms of human reason. In the simplest form one can state this view as follows: All human thought depends fundamentally on premises which appear to a given time or to a given type of man as evident but which are unevident to all other men. They are not truly evident,³⁹ that is to say absolutely evident; they are evident only by virtue of a peculiar dispensation of fate. The term fate is here absolutely necessary. The term fate implies that this thing on which we ultimately depend is not analyzable anymore because every analysis, say in terms of social or economic conditions or what have you, is based on certain fundamental premises, which premises are not rational, are not evident. Is this point clear?

Student: What about the historicist's view that you can only understand an age in the past, you can only understand the age when you have gotten outside of it, such as Carl Becker?^v

LS: I think that Becker's was a very⁴⁰ initial and groping form of historicism, halfway in every respect, because the question simply is: What does understanding of the past mean? All understanding prior to the study of your books, your historical documents, rests on certain points of view, doesn't it? I mean, that Becker knew and said, if I remember well. So the point of view from which he selects his themes⁴¹ has its roots in the present. Let us take this simple formula. Why is this point of view so evident, the point of view from which he studies the past, the point of view from which he selects his themes and therefore his sources?

^{iv} It is not clear who Strauss is referring to here.

^v Carl Lotus Becker (b. 1873), American historian best known for his work *The Heavenly City of the Eighteenth-Century Philosophers* (1932).

Same Student: But that is precisely what he denies is evident.

LS: What?

Same Student: That the assumptions of the times are evident. You only perceive them when you have . . .

LS: Yes, I see; then I misunderstood you. But still, on the other hand what one could perhaps say is this: that is one way of putting it. In other words, your true premises are unevident in such a way that you can't even know them. That is one of them. The other way is to say you can be aware of them but they are so evident to you that they cannot become a problem. Take a simple example for all of us to begin with (whether we know anything of that or not does not make any difference): science is *the* greatest authority today, the authority which everyone has to admit. Yes? No one can possibly say⁴² whether, say, two hundred years from now [that] this will still be true. It is impossible to say because⁴³ you do not know what could happen. It is impossible. So we know that⁴⁴ [we] can perhaps give a very good internal analysis of science—you know, what its methods, its premises are, and what not—and yet its authoritative character, which is so evident to us to begin with, may have given way to something entirely different. No one can know that. But I thank you. You made⁴⁵ [the point] clearer.⁴⁶ That is perfectly true: the basic premises may not even be knowable to a given time, but then they are of course unevident in the highest possible degree.

The main point of historicism is that all thought, human thought, rests on premises different for different historical situations which are essentially unevident and which, even if they are known, cannot possibly be explained, say, in economic or social or whatnot, racial terms because every explanation rests on fundamental premises, which fundamental premises are exactly those⁴⁷ historical premises . . .⁴⁸ It is by no means the theme of this course to discuss historicism. I only have to mention this problem here because it⁴⁹ indicates a part of the reason why a study of the philosophy of history is necessary:⁵⁰ the historicistic position as we know it today and as it affects all academic men, with the exception of the pure positivists to some degree, this is an outgrowth of the philosophy of history.⁵¹ [At] the moment [when] the orderly character, the rational character of the historical process became questionable, men had no choice, so to speak, except to say that the dependence of man, the individual, on the spirit of the times is an undeniable fact that, far from saving the individual's thought because he belongs to an ordered whole,⁵² shows our terrible lostness. We depend ultimately on principles, premises, which we cannot help admitting and yet they are not truly evident. That is one way of putting it. Or perhaps we cannot even know them, which would be another way⁵³ [to say] the same thing. Now⁵⁴ we would like to study this strange thing, this concern with history—this historical consciousness, to use a phrase of German origin.

This much about historicism. Now let us really begin and begin as reasonable people do, at the surface, and if there is a surface of the surface—which is not a very felicitous expression, but you will forgive me—let us by all means begin with the surface of the surface. What is that surface of the surface? In our case I do not hesitate to say Charles Beard's introduction to Bury's

The Idea of Progress: An Inquiry into its Origin and Growth.^{vi} One historical fact is of some interest. This introduction was written in the year 1932. Some people will say that this date⁵⁵ fully excuses Beard,⁵⁶ because he could not possibly foresee 1933.^{vii} But we are perhaps entitled to demand a bit more of foresight of a man who wants to be a teacher, an academic teacher. But let us see, and let us read a few passages:

“[P]hilosophy of history [comes in]. The very phrase is a flag over debated ground. It means the investigation of the rational principles, which, it is assumed, are disclosed in the historical process due to the coöperation and interaction of human minds under terrestrial conditions. If the philosophy of history is not illusory, history means the disclosure of spiritual reality in the fullest way in which it is cognisable to us in these particular conditions. And, on the other hand, the possibility of an interpretation of history as a movement of reason, disclosing its nature in terrestrial circumstances, seems the only hypothesis on which the postulate of ‘history for its own sake’ can be justified as valid.”^{viii}

This is a simplistic restatement of Hegel, we can say. The only justification in the eyes of an intelligent man of the study of history as a study conducted with full dedication, history for its own sake, is possible only if history is the movement of reason. Who would be interested in the casual, accidental consequences of crime and follies? Now⁵⁷ philosophy of history is essentially related then to the notion of a progress of reason, or to use a more simple term, progress. History as the history of progress . . . not make sense.⁵⁸ Quoting a passage from Bury he says:

“A clue to the mystery of history can be found in the concept of development or progress. If so, then that is evidently a discovery as important as the human mind has ever made, with implications for mankind that almost transcend imagination.”^{ix}

Progress of reason was here understood in these halcyon times as a part of a universal progress, and this universal progress was called evolution. In other words, in the nineteenth century some confluence of the idea of history, of progress, and of the idea of biological evolution had taken place and that seemed to be *the* clarifying discovery. There is however this difficulty, to which Bury refers:

“Science . . . tells us that—apart from the incalculable chances of catastrophes—man has still myriads and myriads of years to live on this planet under physical conditions which

^{vi} Charles Beard (b. 1874), American historian and author of *An Economic Interpretation of the Constitution* (New York: Macmillan, 1913). The writings of Irish historian J. B. Bury (b. 1861) on the philosophy of history embodied Victorian-era notions of rationality and progress.

^{vii} Adolf Hitler was appointed Chancellor of Germany on January 30, 1933 and became dictator on March 23. Book burnings took place at several German universities following the burning of 20,000 books from the Humboldt-Universität in Berlin on May 10.

^{viii} J. B. Bury, *The Idea of Progress: An Inquiry into its Origin and Growth*. (New York: Macmillan Co., 1932), xiii. Strauss reads, from Charles Beard’s introduction, a passage that Beard quotes from Bury’s address before the Congress of Arts and Sciences at the St. Louis Exposition in 1904.

^{ix} Charles Beard, introduction to Bury’s *Idea of Progress*, xvii. Beard quotes a passage from Bury.

need not hinder his development or impair his energies. That is a period of which his whole recorded history of six or seven thousand years is a small fraction.”^x

In other words, there is a slight difficulty. We have the notion of infinite progress. It is very bad that we do not have any chalk. What I wanted to paint is something extremely simple [LS draws on the blackboard], a straight line [laughter] . . . infinity, but we know that there is an end somewhere. But that is so far away that a sensible man would not worry about that for one moment although there might be the incalculable chances of earlier catastrophes.⁵⁹ And then there is another point: Bury refers to the dark imminence of this unknown future in front of us. Now if the progress is such a certainty, one could not possibly speak of the dark imminence, but one would say the future indeed is unknown but it can only be bright. Now Bury is dissatisfied with this remark. He thinks it much too harsh.⁶⁰ Why? Bury has not done justice to one phenomenon when he spoke of the progress of reason, and that is technology. Technology. Of all the ideas pertinent to the concept of progress, to the interpretation of what has gone on during the past two hundred years and is going on in the world, none is more relevant than technology. And he speaks to the same effect later⁶¹; that I must read to you:

[T]echnology by its intrinsic nature transcends all historical forms, the whole heritage of acquired institutions and habits. It serves with impartiality Japanese samurai, American industrialists, and the Russian soviet state. Universal in reach, it cannot be monopolized by any nation, class, period, government, or people. In catholicity it surpasses all religions. As an instrument of work engaging human energies in a manner far surpassing the lure of war, as a social dissolvent and readjustor, and as a philosophy of action, technology must be brought into the main stream of history, if the course of history is to be surveyed correctly, and “the dark imminence of the unknown future” is to be in any way penetrated.^{xi}

Technology, in other words, is the capstone of the philosophy of history or of the idea of progress. Bury had a sober belief in progress, but this fades into insignificance [compared] with Charles Beard’s belief in progress. However, there is one little speck (and that speck was not the Soviet state;⁶² of course the Japanese samurai were probably condemned to extinction—after all, that was a very bad time) and that is this: in the idea of progress there is inevitably an ethical element. It implies that the stream of history flows in a desirable direction on the whole, and that once we are plunged in the middle of ethics, immediately a fixed point of reference, [a] benchmark,⁶³ must be set up from which to determine whether the movement of history is in a desirable direction and/or not. That leads to other difficulties, but I can leave it at that.

Beard does not speak of it, but you know⁶⁴ from your own knowledge that⁶⁵ 1932 was about the time in which a certain notion came to this country from continental Europe (at the time when this building was built, more or less [laughter]), and that was the notion that science is essentially value-free, that it is impossible to say anything rationally about what is good and bad. Now if that is impossible, of course it is absolutely impossible for a self-respecting scientist to speak of progress. In a very limited way he can say that of course there is a progress in the building of

^x Charles Beard, introduction to Bury’s *Idea of Progress*, xix. Beard quotes a passage from Bury’s inaugural speech, “The Science of History,” delivered at Cambridge University on January 26, 1903.

^{xi} Charles Beard, introduction to Bury’s *Idea of Progress*, xxiii.

airplanes, because the present airplanes are more comfortable, faster, and more safe than other airplanes. Sure. But given these premises,⁶⁶ someone could very well say [that] uncomfortable, unsafe, and slow airplanes are much better airplanes, and you could not argue against this man. So in other words, in the moment when the problem of values became a serious issue for social scientists, they⁶⁷ could not speak of moral progress, and the proof, I think, is obvious: Who speaks of progress now? The term is change, social change. Progress,⁶⁸ [due to] the victory of value-free social science,⁶⁹ has lost its status. Beard did not see the issue at all. This issue which was so close to home in academic halls and not far away in Europe or in the Soviet Union.

Now let us summarize the observations which we might have made by looking at the surface of the surface. Philosophy of history—that⁷⁰ [is], the history of mankind generally speaking—consists in an ever-improved use of reason, but this progress of reason eventually makes doubtful reason itself. For what is the meaning of the belated recognition, since the last decade of the nineteenth century, that the highest form of reason, science, is incapable to distinguish between good and bad? So the progress of reason culminates in—and now I use the Kantian term—a critique of reason. Perhaps that is the first opportunity I have, and even a necessity, to refer to Kant.⁷¹ Are we then compelled to say that the highest achievement of reason is the critique of reason, and especially that post-Kantian form of the critique of reason which says that reason is incapable to distinguish between good and bad? Yet ⁷²one can provisionally answer [that] perhaps⁷³ it is only a certain understanding of reason which first led to the idea of progress and thereafter to the self-destruction of reason. Perhaps *that* understanding of reason underlying the whole development is altogether questionable.

Now we should perhaps say a few words⁷⁴ on this idea of progress. Bury's book is useful. It is superficial but it is not grossly misleading; he points out to you the books which you would have to study in order to find out precisely what the idea of progress is, and there are some remarks which are quite helpful. Now I will try to summarize Beard's thesis, so far as [it] is relevant to us, in a few words. The idea of progress emerged among the Greeks, but among the Greeks only in a very rudimentary and half-hearted form; the real epoch of the idea of progress is the modern epoch, the sixteenth century⁷⁵ and so on. Now what were the points where the Greek, the classical notion of progress was defective?⁷⁶ I disregard whether every point is made by Bury or not. That is not important. The Greeks knew the possibility of an infinite progress in the arts, or at least in certain arts. Take medicine. There is always a possibility of greater refinements regarding treatment, regarding the treatment of diseases which hitherto had not responded to treatment, and so on. There was very clearly in existence, say, in the time of the Peloponnesian War, a certainty of progress achieved beyond the ancient, the olden times. When you read Thucydides, for example, you have these kind of remarks which you will find later on in the seventeenth century: we are much superior in power as well as in understanding to our fathers and grandfathers. At least the best men among us are the best in relation to them.

The question of course is this:⁷⁷ progress achieved does not necessarily prove infinite or indefinite progress. And here is where the limitation of the Greek concept of progress comes in. In the first place, the suspicion, the conviction that progress will be followed by decline. Take the analogy of the human body (to some extent even of the human mind): progress, growth, followed by decay. The fact⁷⁸ frequently observed, that in most societies precisely after a very glorious period, a kind of lethargy, slackening, comes in. In Athens in Plato's day he was quite

sure that he had been born⁷⁹ at a late time, by which he probably meant Athens⁸⁰ no longer had a future, as we would put it today.⁸¹ Everyone who has been in France knows very well what this means, and even a precise analysis, a so-called scientific analysis would bring out some facts which would confirm this for him who needs some confirmation.⁸² But apart from that and ultimately more important [is] the fact that there would surely be catastrophes, natural catastrophes, cataclysms which would put an end to all civilization, and then there might again be a new civilization beginning from these rude mountaineers who survived the cataclysm.⁸³ We speak today of [the] billions of years the earth lasted. The numbers which the classics mentioned regarding the duration of human life, undisturbed human life on earth were much shorter numbers. I remember now, I have looked it up: 75,000 years is a fairly high number, which alters, affects, of course the perspective of powerful men, [though] not of men who do not think beyond their grandchildren. But the more important point I believe is this. For Greek thought on the highest level, as represented by such men as Plato and Aristotle, there was no connection whatever between intellectual progress and social progress . . . however is an overstatement; there was no essential connection. The classic passage on this subject is the second book of Aristotle's *Politics*, where he discusses Hippodamus.^{84xii} The point which he makes there is this, and I state it roughly as follows: To disturb settled opinion is of the essence of the intellect—to ask questions, to raise doubts—but this which is so natural and so necessary to the intellect as intellect is a very grave danger to society. The intellect as intellect cannot have this concern with stability which society must necessarily have. Now,⁸⁵ because you can read Bury's statement on that, I do not have to go into that. I will only mention a few points which are crucial.

. . . There was a fantastic fellow in the eighteenth century, not a great thinker in any way but a systematic man. That was Abbé St. Pierre,^{xiii} who was respected to some extent by such a man as Rousseau and therefore influenced in this way Kant. He was concerned with perpetual peace and other things, but I am now only concerned with what Abbé St. Pierre teaches regarding progress, because I believe that is really the simplest and in a way the clearest statement. The first point. It was said already long before Abbé St. Pierre that the intellectual progress necessarily leads to social progress, on the basis of this further consideration: If a man has discovered the truth, this discovery cannot help becoming public, sooner or later,⁸⁶ [thus] changing the public life, public opinion, and therefore making the public mind more close to the truth [and] in this sense more intelligent. What I find to be the peculiar contribution of Abbé St. Pierre is this: He starts from the observation that a high-school boy can now in the eighteenth century or, for that matter, even now in the twentieth century, easily solve problems which could be solved in the past only by the greatest geniuses. Think of the enormous genius required for the discovery of analytic geometry, or the Calculus—Descartes, Newton, Leibniz. Today an intelligent⁸⁷ college boy could master these things. Hence⁸⁸ [this] was the conclusion of Abbé St. Pierre: we are much more intelligent than the past was. How did this come about? Through the substitution, we can say, of method for intelligence proper. The magic of method consists precisely in this:⁸⁹ you can learn certain operations, and then by mastering these operations you can solve all kinds of problems which originally required a very great effort of the intelligence to solve. Method levels the minds;

^{xii} *Politics* 1267b20.

^{xiii} Charles-Irénée Castel, abbé de Saint-Pierre (1658-1743), influential radical French critic and writer. His work negotiating the treaty of Utrecht (1713) led him to develop ideas toward a universal peace among nations.

something of this kind was said by Bacon and in another way by Descartes. So the intellectual level of man has⁹⁰ enormously been increased by the discovery of method.

The second point which I would like to mention regarding the Abbé St. Pierre is this: he assumed that the world has a beginning in time . . . roughly the biblical chronology, say, six or seven thousand years. But while being finite as far as the past is concerned, the duration of the world is infinite regarding the future. Then infinite progress is certainly assured, and this leads him to argue as follows. This was no longer the simply biblical. The beginnings were absolutely imperfect, savages roaming in the forest; and now he looks around in the eighteenth century and says: Look how well-clothed, well-fed, and well-housed we are, and how intelligent in mathematics we are in the short time of seven thousand years. Now make a proportion: one to seven thousand equal to seven thousand to infinite, and you can see that there is absolutely no possible limit of human progress.⁹¹ I admire the Abbé St. Pierre for this reason, because he stated so simply the absolutely necessary cosmological premise of infinite progress strictly understood. A beginning . . . and no end, and the certainty of no end—as far as possible. At the moment this assumption becomes questionable it is hard to speak of infinite progress in precise language.⁹²

[An]other point must be mentioned which is crucial and which is really underlying⁹³ this premise which I mentioned, the result of science becoming necessarily common property in the course of generations.⁹⁴ This premise is prepared by a new understanding of the meaning of science: science for the sake of power, as Bacon and Hobbes put it. Science⁹⁵ serves the purpose of making man the master and owner of nature. Science⁹⁶ no longer has a theoretical, a purely theoretical purpose as it had in the premodern view, but it serves the needs of man and therefore of course it must be communicated. Therefore, because science [is] for the sake of power, there is⁹⁷ [necessarily] a harmony between philosophy or science, and society. The progress of science or philosophy necessarily means an improvement of the lot of man, and therewith of society.⁹⁸ I read to you one passage which is very revealing and somewhere where some of you would not expect it, and that is a passage from Pascal, the great religious writer and mathematician and physicist. He says:

Man is brought forth, produced, only for infinity. He is in ignorance from the first days of his life, but he instructs himself unceasingly in his progress, for he has the advantage not only of his own experience but also that of his predecessors, for he preserves *always* in his memory the knowledge which they have once acquired and of which the ancients have records in the books.^{xiv}

That is of course another crucial premise of the notion of the necessity of progress. An acquisition of the human mind, a truth discovered by the human mind, *can never again be forgotten*. That we ourselves, an individual who makes some observations, may forget it is I believe possible; at least I can judge from my own experience. But that the discovery of someone else, of X, should always be remembered by other people is extremely fantastic. Even if the

^{xiv} Blaise Pascal, “Préface sur le Traité du Vide” *Œuvre complètes*, ed. Michel Le Guern (Paris: Gallimard, 1998), 456. Strauss’s translation. A complete translation of “Preface to the Treatise on Vacuum” is available in *Thoughts; Letters; Minor Works*, trans. W. F. Trotter, M. L. Booth, O. W. Wight (New York: P.F. Collier & Son Co., 1910), 444-51.

books are preserved, books must be understood . . . The preservation of the books is not sufficient. This is another grave premise, it seems to me, of the belief in progress.⁹⁹

However this may be, the notion of progress culminated in this view¹⁰⁰ which I will illustrate to you by two quotations from Bury:

Later generations will always be superior to the earlier, for progress is “a natural and necessary effect of the constitution of the human mind.”^{xv}

[The statement, “a natural and necessary effect of the constitution of the human mind,” was made] by Fontenelle [in the] late seventeenth century or early eighteenth century.^{xvi} And two more:

Turgot had already conceived ‘the total mass of the human race moving always slowly forward’—

[T]here is no people in the world doomed by nature to perpetual inferiority or irrevocably disqualified by race from playing a useful part in the future of civilisation.

This doctrine of the possibility of indefinitely moulding the characters of men by laws and institutions . . .^{xvii} laid a foundation on which the theory of the perfectibility of humanity could be raised.^{xviii}

The clearest case, in other words, of the doctrine of progress is this: there is a necessity in the nature of things of a progressive movement of the human intellect as well as of human society.¹⁰¹ This thought could be given in somewhat different terms. When you speak of the necessity of progress, and especially of an infinite progress or an indefinite progress, you say of course also the necessity of error. The same reasons which make it necessary that we know now, this made it necessary that this was unknown in the past or that men erred in relation to that. The necessity of progress means also the necessity of error, and therefore the belief in progress in itself could very well lead to a vindication of the past. These people were not fools or criminals; they could not have thought differently. They could not have acted differently than they did. More than that, we owe it to their errors and their crimes that we are where we are.¹⁰² In other words, we owe our best to human acquisition as distinguished from nature. We owe our best to what our forbearers did: they acquired the wisdom which made possible our higher wisdom. The doctrine of progress, which led, generally speaking, in the eighteenth century¹⁰³ to contempt for the past could as well lead to gratitude to the past, and it could lead to the proposition made in the nineteenth century that everything good is *heritage*¹⁰⁴ and not nature. This possibility of the idea of progress was¹⁰⁵ a conclusion drawn only after the collapse of the French Revolution by the so-

^{xv} Bury, 126.

^{xvi} Bernard le Bouvier de Fontenelle (b. 1657), French author and philosopher, sometimes considered a popularizer of Descartes’s philosophy.

^{xvii} In original: whether combined or not with a belief in the natural equality of men’s faculties

^{xviii} Bury, 167-168. Strauss reads these passages out of sequence. The first is on page 168; the others are on page 167.

called conservatives. I mention this only in passing.¹⁰⁶ To repeat this one point: The necessity of progress means fundamentally, primarily in the older view, the necessity of intellectual progress and of the diffusion of knowledge.¹⁰⁷ However this intellectual progress and the diffusion of knowledge and the ensuing social progress is part of a comprehensive, deterministic, or necessitarian scheme. The necessity of progress has no other character, fundamentally, than the character of gravitation—it is absolutely, purely, necessary.

[change of tape]

LS: —an end, as I have occasionally observed. If we ask for the most obvious reason why this has happened, or at least reasons which are visible immediately today in our academic surroundings, the first is the fact [that] I have referred to before, the certainty that all value judgments are merely,¹⁰⁸ strictly speaking, non-rational, not to say irrational; and to speak of progress means to admit rational value-judgment. Otherwise, it is merely an expression of your subjective preference without any solid meaning.

Student: Isn't it possible that the idea of progress, though it is no longer an intellectual problem in the academic community, has become nevertheless something implicitly accepted and not reflected upon? Even though, in other words, in word we may find a theory that social science teaches today which would be a rejection of the idea of progress, but in deed and in activity it is nevertheless active?

LS: You are absolutely right. That is perfectly true . . . You know, I use a famous proverb about the Russians: scratch the Russians and you find a Tartar. [Laughter] So scratch the social scientists—I always get into fights with McKeon on that.^{xix109} But still you have to take seriously what people say. We do not make a psychoanalysis. We take seriously what they say and therefore when they say that value judgments are absolutely, rationally, impossible and cannot possibly have a rational basis, that means of course we cannot rationally speak of progress, except under very limited terms where the whole question remains open. The progress of airplanes, or rockets, or whatever have you, yes; but whether that is really good remains wholly undetermined.¹¹⁰ In the same way in which you can speak of the progress of a disease, in that neutral way, can this be a progress? Qua disease it has progressed, but if that is really a progress of the individual, that can no longer be said.

Student: What about the general notion of social engineering, the question of manipulation?

LS: There is no doubt, yes, and I remember once I saw a book title by a social scientist, *A Village that Chose Progress*.^{xx} So it is chosen sometimes by social scientists, but I believe it is not in accordance with the strict rules of the profession . . . [Laughter]

¹¹¹The next, second, reason is historicism, of which I spoke before and to which we have to come back,¹¹² which denies as such the possibility in any serious sense of progress because of the

^{xix} Richard McKeon (b. 1900) was a professor of Greek philosophy and later Dean of Humanities at the University of Chicago and author of works on Aristotle, Cicero, and Spinoza, and of numerous essays on science that were published posthumously.

^{xx} Robert Redfield, *A Village that Chose Progress* (Chicago: University of Chicago Press, 1950).

fundamental equality of all—at least of all high—cultures. For example, take Spengler's book, *Decline of the West*.^{xxi} There is no possibility to say that modern Europe¹¹³ progressed beyond China or Babylon, whereas Hegel had not the slightest doubt that you could show that modern Europe is superior to China. The recognition of the rights of man by the modern state was to Hegel part of that simple proof that modern Europe is superior to ancient China; even if Confucius was as democratic as some people say, his was certainly no clear legal expression of the rights of man.¹¹⁴ But that is today taken for granted.¹¹⁵ Which self-respecting social scientist dares to say that perhaps the Athens of Pericles was objectively higher in rank than the bushmen in Australia? We don't *know* that! [Laughter] But¹¹⁶ let us drop this and simply reduce it to an uncontroverted thesis that the concept of progress, which played such an enormous role in the thought of the last few centuries and even was still said by a very famous American historian in his day, Charles A. Beard, in the year 1932, is today no longer not only not fashionable but really prohibited by the very principles of scientific method. This much about the general problem.

Why do we turn to Kant? Kant, we may tentatively say, was the first philosopher of the highest rank who discussed the philosophy of history under this name. The last chapter of his *Critique of Pure Reason* is entitled "The History of Pure Reason." That is a very novel title.¹¹⁷ This chapter is very brief and in no way elaborated, but still it is there . . . The history of pure reason should be written, Kant says, but he didn't write it. Kant didn't write a philosophy of history, so while he was aware of that idea he hesitated to elaborate it. There was a certain strange hesitation. You only have to contrast this between the philosophic generation after Kant. Take the example of Schelling¹¹⁸—he is somewhat earlier than Hegel but in this respect he was not so different from Hegel.¹¹⁹ Schelling's view, very roughly stated, is this. There is the absolute, which has (to use Spinoza's terms) two attributes: extension and thought. This attribute of extension, space and what it means fully understood, is nature; therefore one part of philosophy is philosophy of nature. The other part, the attribute of thought, if this is fully understood, it means history. So the knowledge of the absolute, metaphysics, may be said to be subdivided into the philosophy of nature and philosophy of history. Hegel elaborated that, but it is not in Kant. Why then did he hesitate and yet not reject it? Now it is impossible to answer this question or to prepare an answer to it without having some understanding of Kant's enterprise as a whole. We will try to prepare such a very provisional understanding by reflecting on the fact that according to Kant's explicit declaration, he owed the decisive stimulus to his work to two men, to Rousseau and to Hume. Rousseau and Hume,¹²⁰ neither of whom could be called a metaphysician, induced Kant to revolutionize metaphysics. Now let us discuss these two influences forming Kant before he became the man for which he is famous.

Let us first consider Rousseau, and let us do that from the point of view of the question from which we started, philosophy of history and progress.¹²¹ I limit myself now to two works of Rousseau which were crucial to Kant, as we will see later on from some quotations. That is the *Discourse on Arts and Sciences*, the first famous publication of Rousseau's, and the *Discourse on the Origin of Inequality*. The dates are in the early 1750's, 1751 and 1754 if I remember

^{xxi} Oswald Spengler, *Der Untergang des Abendlandes* (The decline of the West). First published 1923 in Germany. Spengler presented a tragic view of European civilization in inexorable decline, which resonated strongly after the first World War, and which compared the West to other high cultures in world history.

well.^{xxii} Now what is so striking in these two books is this: at first glance they present themselves as books denying the fact of progress. The moderns are inferior to the ancients, number one; but even the ancients are inferior, because they are civilized men, to the natural man, say to the savages. The whole progress was a mistake.¹²² Rousseau regarded progress as a problematic thing. Perhaps we shall say for the time being that Kant's hesitation to elaborate the philosophy of history or perhaps the peculiar character of Kant's ideas regarding the philosophy of history has to do with the fact that Kant was aware of a problem of progress and he had to become aware of that through Rousseau.

I would like¹²³ to remind you of a few characteristic points of Rousseau's second discourse, the *Discourse on the Origin of Inequality*. This book is explicitly a history of man, i.e., a history of the human species. A history read, as Rousseau puts it, not in human books but in nature, not in the books of men who lie but in the book of nature which never lies. It is a history of man's transition from the state of nature to civilized life. Should there be a connection between the state of nature and the philosophy of history or the idea of progress? We must first answer this question, and for this purpose we have to consider the state of nature notion all together not only in Rousseau's version but also in the version which we find in Locke and in Hobbes. In the first place,¹²⁴ the description of the state of nature takes the place of the biblical account of man's origin and thereafter. That is an undeniable fact. The state of nature means this: contrary to the Bible, the beginnings of man were most imperfect. The transition from the state of nature to the civil society is an unqualified progress, whereas in the Bible the founding of the city is ascribed to Cain; and furthermore this process from the beginning to the civil society is entirely natural, i.e., non-miraculous. The second [is this]: the state of nature¹²⁵ became a theme within the context of reflection on the law of nature, the law of nature here in the sense of the moral law. The state of nature is a part of¹²⁶ a novel version of the old doctrine of natural law. The traditional natural law doctrine, an idea of the Middle Ages, has no relation to the notion of the state of nature and to the transition from the state of nature to civil society. The traditional ancient natural law doctrine is a strictly non-historical doctrine. There is the remarkable passage in the *Summa Theologica*, part 1,¹²⁷ question 46. Natural reason cannot know whether the world had a beginning or whether the world was always. Applied to our question, that means the beginning of history may be the perfect Adam or may be the rude mountaineers who survived cataclysms—the Aristotelian view. Natural reason cannot settle this question.

But however this may be, one thing was certain¹²⁸ on the basis of the older doctrine. There are always addressees of the law of nature, by which I mean that men in every stage, rude mountaineers, sophisticated dwellers of cities, are equally equipped to understand the principles of the natural law or the moral law. They are always. Man is as such an addressee of the law of nature. Rousseau and Locke deny this. Man is not always an addressee of the law of nature, since all knowledge and even reason itself is acquired, and therefore man at the beginning was completely unable to understand any moral principles. That took a very long time. We will see later on that this is a very important difficulty for Kant.¹²⁹ How was reason, and therefore how¹³⁰ was the knowledge of moral principles, acquired? By a necessary process and a non-teleological process, a process not directed toward emergence and perfection of reason. But reason was somehow¹³¹ an unintended product of the process.

^{xxii} The dates are 1750 and 1754, respectively.

It is very difficult to find out the precise meaning of Rousseau's doctrine because so many things which he says in his *Discourse on the Origin of Inequality* are obviously taken from the Latin poet Lucretius, who in the fifth book of the *Nature of Things* gives what people now call a history of human civilization from primitive beginnings and so on and so on.^{xxiii} And Rousseau obviously borrows very much¹³² from Lucretius.¹³³ Therefore it is necessary to see the differences between Rousseau and Lucretius for a better understanding of the problem. Now what is the difficulty? There is no state of nature in Lucretius for the very simple reason¹³⁴ [that] there is no law of nature, no moral law considered by this Epicurean poet. In Lucretius's language, one would have to say the state of nature is the state of the philosopher when he is fully alive to the verities. That is the natural state of men. But this primitive, savage beginning cannot be a state of nature.

Now what, then, is the root of this difference between Rousseau and Lucretius? We see here then that the state of nature as understood by Hobbes, Locke, and Rousseau is meant to supply a standard for all of society. These rights and duties (if there were duties) which belong¹³⁵ to the state of nature are the truly natural order with a view to which we have to order our lives. But the state of nature is extremely imperfect, and therefore the state of nature can supply only a negative standard. The state of nature is something to get away from. But since it is the only natural state, it is the only phenomenon which gives us a rock-bottom orientation. Everything else,¹³⁶ all merely human laws, cannot be examined and cannot be justified except by reference to something natural. This natural with a view to which all existing organizations or institutions and laws have to be examined is the state of nature as a certain legal status, a status in which there are rights and to some extent even duties. The state of nature idea implies, in other words, that what is really good for man emerges through a break with this state of nature. The good emerges, we can say, through a rebellion against nature. This rebellion against nature, by which I mean the process of civilization, is however itself a natural process. By natural necessity a certain part of nature, call it "man," emerges, which part is compelled by natural necessity to rebel against the rest of nature. The process of civilization is a natural process. But it is also *not* a natural process (that is the great characteristic difficulty of this position) because it is a rebellion against nature, for it requires wholly non-natural means, artifacts of a peculiar kind, to use the language of our contemporaries—verbal symbols, speech—and only that makes possible rebellion against nature. Verbal symbols are not natural in the way in which, for example, our bodies are natural. We can also say this position is cursed from its very beginning by the necessity in which it finds itself to say that there is an essential difference between man and non-man, and also [that] there is *not* an essential difference between man and non-man. We find this up to the present day.

What then is the characteristic, the peculiarity, of the concept of the state of nature compared with Lucretius but also all premodern philosophy, materialistic or non-materialistic? What man can be the master of nature? To master nature means to understand nature. In the sense that man can learn to produce better things which nature produces imperfectly, man can reproduce nature. To understand a thing means to understand its genesis. *Everything* must be understood as having come into being. For example, if you take classical utterances, atoms have a peculiar shape and size, but this must be understood from the modern point of view, ultimately, as these peculiar

^{xxiii} Titus Lucretius Carus (b. 99 BC) was a Roman poet and philosopher best known for his poetic statement of Epicurean philosophy, *De Rerum Natura* (On the nature of things).

shapes and sizes must be understood as modifications of something more primary. To take the most important example, reason was understood as having come into being. For Lucretius that was no problem; there are mind atoms as well as other kinds of atoms, and there could be no question of a genesis of atoms. Therefore the genesis of reason was no problem. Lucretius discussed at some length the genesis of speech, but very characteristically Rousseau transforms this discussion of the genesis of speech into a discussion of the genesis of reason. To understand means *to make*, to construct a perfectly evident *as* perfectly evident, i.e., as necessary—that is to say, a necessitarian or deterministic natural science which shows the necessity of man’s production, of man’s changing from bestial beginnings to civilization or, in other words, man’s progress. This is basic for Rousseau and accepted by him. But here we come to the difficulty, because at first glance, and not only at first glance, Rousseau denies the fact of progress and suggests, apparently, a return to the primitive, bestial state of nature. What then does he mean by this flagrant contradiction? Rousseau does not deny the fact of intellectual and technological progress. He merely denies that intellectual, technical progress is *moral* progress and progress in happiness. The pre-agricultural savages are better and happier than we and even than the ancients, although we are intellectually and technologically their superiors. Yet, Rousseau’s argument proceeds, we cannot return to this state; and above all, better does not mean for Rousseau more moral. Rousseau makes the distinction between goodness and morality or virtue. Goodness means instinctive goodness, as say, compassion. It has nothing to do with rational principles, with a sense of duty—that belongs to virtue. Now, as regards morality or virtue as distinguished from goodness, morality stands and falls with civil society. The emergence of civil society coincides with the emergence of morality.

There are very great difficulties in Rousseau’s doctrine which explain all kinds of misinterpretations. In this book which I mentioned, R. V. Sampson, *Progress in the Age of Reason*,^{xxiv} you find a statement on page 79 which to some extent is excused by the really very great difficulties of Rousseau’s doctrine, but of course how a reasonable man could write that page I still don’t understand. I mean, before the ink could have dried on the first sentences Rousseau had already thought of something entirely different, but I cannot go into that now. I would like to read you one passage of Rousseau which is still true, and that is in a defense he wrote in the letter to M. de Beaumont, then Archbishop of Paris:

The development of intelligence and of vice always takes place in the same proportion, not in the individuals but in the peoples, a distinction which I have always carefully made and which none of those who have attacked me has ever been able to understand.^{xxv}

Rousseau is absolutely correct. No one who attacked him has understood it, and I believe even today it is very rare that someone sees that. I cannot now¹³⁷ suggest a solution of this great

^{xxiv} Ronald V. Sampson, *Progress in the Age of Reason: The Seventeenth Century to the Present Day* (Cambridge, MA: Harvard University Press, 1956). Strauss’s previous mention of this work does not appear to have been recorded.

^{xxv} J.-J. Rousseau, “Lettre à Christophe de Beaumont” *Œuvres complètes* VI (Paris: Editions Gallimard, 1969), 966-67. Strauss’s translation. A complete translation of “Letter to Christophe de Beaumont” is available in *The Collected Writings of Rousseau*, vol. 9, ed. Christopher Kelly and Judith R. Bush (Hanover, NH: University Press of New England, 2001), 17-83.

problem of how these¹³⁸ enormous contradictions which you find in Rousseau are solved according to Rousseau's own indications.¹³⁹ There might be a later occasion. I do not have to do that. I can only say that the analysis which I gave in my *Natural Right and History* I think is still correct. I still stick to that, but that would lead us now too far. Perhaps I mention only one point. Rousseau's contradictions go back to one fundamental contradiction, which however was not a contradiction but an antimony of which he was fully aware and which he did not state clearly on every occasion. And therefore it is a formal contradiction, and that is that the perfection of the individual and social perfection are governed by entirely different rules. By entirely different rules. The perfect society, say, Geneva, the city from which he came¹⁴⁰—old-fashioned, severe in its manners, demanding the full dedication to the common good, a life of duty in every form—and yet there is something in the individual which cannot be satisfied by such a life of dutiful citizenship.¹⁴¹ While for most people this life of dutiful citizenship is the highest they can reach, there is an alternative, and this is a mixture of the philosopher and the bohemian—let us say the artist. That¹⁴², one can say, is what Rousseau has in mind. The solution of the social problem, the democratic republic as he saw it, is not only not identical with the solution of the problem of the individual, it is even incompatible with it. There must be people living on the fringes of society who are as it were the salt of that society. The society as such cannot be dissolved. The nineteenth century was struggling all the time with this problem; in a way it is struggling up to the present day. If you take such a simple everyday phenomenon that someone writes an indecent poem and he is brought before a judge in California or any other place in this country, then instead of punishing him for doing something indecent, which would be Rousseau's idea, they say he is an artist and that [it] is not pornography but art. That is an indication of the problem. You see how the notion of art affects jurisdiction and therefore social life. That has something to do with Rousseau, but of course that is really only a statement of the problem on the lowest possible level. I must emphasize that.¹⁴³

Not to go further into the question of Rousseau, but only to raise this question: What is the meaning of Rousseau's work as regards the problem of progress? In spite of Rousseau's doubt regarding the problem, his whole work¹⁴⁴ leads to the consequence that with a modification the tradition of the idea of progress is continued not only in spite of it but because of it. I read to you one passage to indicate why I had to make this remark. Kant wrote somewhere among his papers—that was not published in his life—and that is the key, not to Rousseau, although it is part of Rousseau, but to Kant:

I myself am a researcher [if that is the proper translation, “inquirer out of indignation”—LS] I sense the whole thirst for knowledge and the greedy unrest to make progress and also felt content at every . . .^{xxvi} There was a time when I believed that this all could make out the honor of mankind and I despised the vulgar who knows nothing. Rousseau had straightened me out. This illusory preference disappeared. I learned to honor men, human beings, and would regard myself as much less useful than common day laborers if I did not believe that this consideration could give a value to all others by establishing the right of mankind.^{xxvii}

^{xxvi} The ellipses here indicates an inaudible word.

^{xxvii} Kant [20:44] from *Bemerkung zu den Beobachtungen über das Gefühl des Schönen und Erhabenen* (*Remarks on the Observations on the Feelings of the Beautiful and Sublime*). In the first sentence

That is not the whole story; we will come to other passages. That is, however, the most emphatic remark Kant ever made on Rousseau. Rousseau has made clear to him that the theoretical ideal, as it is called, the belief that the perfection of man consists in theoretical understanding, is a delusion; that man's true perfection, if we can use this term here, consists in morality, and morality consists essentially in recognizing the rights of man, in deed of course, and respecting the dignity of man. And philosophy and all the theoretical pursuits ultimately can be justified only by their being in the service of this moral function. Now you see how Rousseau's attack on the idea of progress comes in at this point. Rousseau stated, in the first *Discourse* especially, [that] intellectual progress is not moral progress, and moral progress is the only standard of progress.^{xxviii} That was accepted and morality is the only standard ultimately valid. That¹⁴⁵ was decisive for Kant. However, this in itself in no way explains that question which you have raised: Why philosophy of history? What has morality and the understanding of moral principles to do with history, that is, philosophy of history? We will take this up next time, but I would like to see, in order to find out whether I have succeeded in bringing across this point—do you see a connection between the question of moral principles and history at the level of the discussion in Rousseau and Kant's time?

Student: The most manifest aspect of history was political history, and . . .

LS: Yes, but what has this to do with it? I mean, if we have moral principles, we just have political institutions and political actions, and these actions may be as criminal and as pejorative as they are but this does not affect our knowledge of the status of these principles.

Same student: Could you restate the question once more, please?

LS: Kant learned or claimed he had learned from Rousseau the supremacy of morality, and that is so important to him that he can say "Rousseau has straightened me out," if that is the proper translation of the German expression *Rousseau hat mich zurecht gebracht*. "He brought me into order or shape" would be an equally proper translation. So that was the epoch-making event in Kant's life, apart from Hume, which we will discuss next time. So Kant understood the status of morality. What does this have to do with the philosophy of history? Yes?

Student: Well, if the status of morality is the result of this process, if morality does not emerge except as a product of this process, then Kant says all intellectual endeavors must lead to an understanding of being in the service of morality . . .

LS: That is a very good answer on the basis of what I said. I see now what I have to emphasize. Kant of course does not accept this notion of a genesis of reason, and therefore your answer is not sufficient. But it has nevertheless to do with this question which I mentioned, only your answer must be generalized. The most important and the most fundamental phenomenon will prove to be, for Kant, the moral law, but Kant is confronted with a difficulty with which the

Strauss offers an alternative translation of the word "*Forscher*." In the inaudible part of the translation, Strauss translates the word "*Erwerb*," which one could translate as "acquisition." Apparently Strauss's translation.

^{xxviii} See, e.g., *Discourse on the Arts and Sciences* II.51.

earlier thinkers who spoke of the moral law were not confronted, namely, with the question: Are there always addressees of the moral law? This question exists for Kant. Are there always addressees of the moral law?¹⁴⁶ The most extreme savages, could they possibly know the moral law? Now, if not, that creates a very great problem and the solution to that problem would be the philosophy of history. It would show why their ignorance is¹⁴⁷ not only excusable but redounds to the glory of God. I will read to you a passage next time. Can you see how it could redound to the glory of God that the savages are completely ignorant of the moral law as moral law? If it is true that miracles and miraculous intervention¹⁴⁸ redound less to the glory of God than natural causation, that God has constructed the machine of the world in such a way that it brings about everything without any miraculous intervention, then and only then is this a necessary conclusion. And it is for this reason¹⁴⁹ that Kant compares Rousseau to Newton. For Kant, Rousseau is the Newton of the moral world. Rousseau has discovered law, regularity, where previously people found only irregularity and no sense. We do not have to go into whether that is a perfectly thought-out comparison—that is not the point now, but the crucial point is that Rousseau¹⁵⁰ by his second treatise^{xxix} did something comparable to Newton's work. Just as Newton showed how¹⁵¹ this marvelous order of the visible universe is intelligible without any miracles entering, some simple laws, in the same way,¹⁵² simple laws had been discovered by Rousseau. Yes?

Student: Doesn't the fulfillment of the moral law for Kant depend upon political development and technological development as well, where you have a historical development coinciding with the fulfillment of the moral set-up?

LS: Well, that is an extremely difficult question which we are wholly unprepared to discuss at this stage and which can be stated as follows: Can there be, from Kant's point of view, a moral progress proper? There can be a progress of the understanding of the moral law, I would assume, but can there be a progress that the next generation would be more moral than the preceding generation?¹⁵³ Technologically and intellectually, [can] there¹⁵⁴ be an advance? That is the great question. In spite of this, Kant's belief in progress is primarily in the possibility of intellectual and institutional progress. You are quite right. In a very difficult way, hard to understand, this goes together in Kant nevertheless with an expectation of moral progress. The difficulty here is, you see, there is not a simple parallelism; that is due to a certain . . .

Same Student: His whole concept of moral worth seemed to—it is difficult to conceive of moral progress in Kant from his own understanding of moral worth.

LS: Yes,¹⁵⁵ that is a very great question, but you see that the difficulty which is here, that is exactly the point of the influence on Kant of Rousseau; whereas the general view was¹⁵⁶ that intellectual progress was strictly parallel to moral progress.¹⁵⁷ What does moral progress mean? An example: we are not cannibals. Why are we no longer cannibals? Because we are enlightened. We know that there is better food, and that it is a very unwise practice because of the fear of being eaten up and being looked over and so on . . . [laughter] so we have abolished it. Now Rousseau's point [that] intellectual progress is in itself something radically different from moral progress leads to Kant's point. And then of course if we develop fully in one direction it means there could be an intellectual and technological and political progress of the most

^{xxix} That is, his Second Discourse.

important kind, and yet there would be thousands of cannibals living in a perfect,¹⁵⁸ organized society. Amazing knowledge of the universe, and absolutely anything . . . Kant was aware of this question and he learned it from Rousseau. That is one of the important complications which exists in the consciousness of a modern man like Kant. Ultimately the right dimensions, and not just the main problem, but¹⁵⁹ there is a competence to be learned in these . . . but since therefore . . . Why is the philosophy of history for Kant a problem? Is there a possibility of moral progress? What does all other progress mean, to state the obvious? I think we must now stop.¹⁶⁰

[end of session]

¹ Deleted "Kant's Prolegomena...well that is the Modern Library Edition."

² Deleted "that, We should be ready next Wednesday, but it may be necessary only next Monday. Who is willing to take that? Well, are we still in high school? Alright, then I...yes, Mr. Holmes? Now you read German, don't you?"

Student: Yes. I will read it in German. **LS:** Have you ever read Kant before? **Same Student:** Yes but not in German. In English. **LS:** Strange."

³ Deleted "the prefaces."

⁴ Deleted "the next."

⁵ Deleted "It is also in the Modern Library edition."

⁶ Deleted "the philosophy of history...."

⁷ Deleted "that is also in the Modern Library edition."

⁸ Deleted "of which there is a copy in this University's library."

⁹ Deleted "Both of you will take pleasure to take down the notes, I refuse to repeat the data individually, I cannot do that. "

¹⁰ Deleted "which you find...."

¹¹ Deleted "Liberal Arts...."

¹² Deleted "there is."

¹³ Moved "Perpetual Peace."

¹⁴ Deleted "that is roughly"

¹⁵ Deleted "the Foundations of Morals...."

¹⁶ Deleted "So I hope that those of you who take this course for credit really give some thought into the question of papers and let me know at the beginning of the next meeting. Unless someone changed his mind... **Student:** Professor Strauss, I'll take the fourth meeting, on "Theory and Practice." **LS:** Really? Good. Thank you very much."

¹⁷ Deleted "in other words...."

¹⁸ Deleted "One can...."

¹⁹ Deleted "that."

²⁰ Deleted "an entirely...."

²¹ Deleted "is...."

²² Deleted "make...."

²³ Deleted "the study...."

²⁴ Deleted "the word means."

²⁵ Deleted "what a...."

²⁶ Deleted "about an...."

²⁷ Deleted "you do not necessarily...."

²⁸ Deleted "the...."

²⁹ Deleted "your...."

³⁰ Deleted "loose."

³¹ Deleted "an ordered sequence."

³² Deleted "was questioned."

³³ Deleted "of...."

³⁴ Deleted "he would not...."

³⁵ Deleted "it is not...."

³⁶ Deleted "which...."

³⁷ Deleted "that...that...."

³⁸ Changed from "in."

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- 39 Deleted "that evident...."
- 40 Deleted "an."
- 41 Deleted "this point of view."
- 42 Deleted "what...."
- 43 Deleted "that...."
- 44 Deleted "this."
- 45 Deleted "it."
- 46 Deleted "So one thing of course...."
- 47 Deleted "historically...."
- 48 Deleted "This...."
- 49 Deleted "is."
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- 51 Deleted "In the moment...in...."
- 52 Deleted "it."
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- 54 Deleted "we have to...."
- 55 Deleted "is."
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- 58 Deleted "He quotes here...."
- 59 Deleted "Yet...."
- 60 Deleted "He... and."
- 61 Deleted "The main point... that I must read...."
- 62 Deleted "that...."
- 63 Deleted "must be...I can't read that...."
- 64 Deleted "of your...."
- 65 Deleted "this."
- 66 Deleted "which."
- 67 Deleted "they had too...."
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- 74 Deleted "on the basis...."
- 75 Deleted "to...."
- 76 Deleted "The Ancients...."
- 77 Deleted "can this be...."
- 78 Deleted "that."
- 79 Deleted "late."
- 80 Deleted "does."
- 81 Deleted "This... well, you only have to...."
- 82 Deleted "So, in other words...."
- 83 Deleted "So, in other words... there was no...and also the periods...."
- 84 Deleted "and."
- 85 Deleted "I do not...."
- 86 Deleted "with."
- 87 Deleted "high school...."
- 88 Deleted "that."
- 89 Deleted "that."
- 90 Deleted "been."
- 91 Deleted "It is... I think...."
- 92 Deleted "Yeah. Well, I do not have... of course... I am... This...."
- 93 Deleted "this premise, this [inaudible]...."

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- 94 Deleted "That is...prepared...."
 95 Deleted "is."
 96 Deleted "does."
 97 Deleted "necessary."
 98 Deleted "I cannot...."
 99 Deleted "Now, the ness...but...."
 100 Deleted "that there is...."
 101 Deleted "There could...."
 102 Deleted "We are...."
 103 Deleted "for contempt...."
 104 Deleted "heritage."
 105 Deleted "was drawn only...."
 106 Deleted "Still...."
 107 Deleted "This...."
 108 Deleted "are."
 109 Deleted "it's perfectly...an arguments that say that...."
 110 Deleted "You know, the same way...."
 111 Deleted "Good. The next point... is...is...."
 112 Deleted "in which...which...."
 113 Deleted "is...marks...."
 114 Deleted "And so... you...."
 115 Deleted "Who doubts...."
 116 Deleted "let us now...."
 117 Deleted "That title...."
 118 Deleted "but."
 119 Deleted "For...."
 120 Deleted "who could...."
 121 Deleted "Now Rousseau...."
 122 Deleted "Rousseau regarded them and that we have to say under all conditions."
 123 Deleted "to give...."
 124 Deleted "the state of nature idea takes the place...or...."
 125 Deleted "was...."
 126 Deleted "a novel doctrine...."
 127 Deleted "article 46...."
 128 Deleted "for...for...."
 129 Deleted "How was this...."
 130 Deleted "were moral principles...."
 131 Deleted "was an...."
 132 Deleted "from Rousseau...."
 133 Deleted "But that makes it...."
 134 Deleted "because."
 135 Deleted "to the law...."
 136 Deleted "all human...."
 137 Deleted "give a solution of this great...."
 138 Deleted "enormous, seeming...no...."
 139 Deleted "I must...."
 140 Deleted "Geneva."
 141 Deleted "but."
 142 Deleted "Rousseau...."
 143 Deleted "Now to come back...."
 144 Deleted "amounts...."
 145 Deleted "made...."
 146 Deleted "are there...."
 147 Deleted "not only inexcusable...."
 148 Deleted "are less...."

¹⁴⁹ Deleted “that Rousseau....”

¹⁵⁰ Deleted “did, of course by the Second Treatise, Rousseau....”

¹⁵¹ Deleted “this perfect....”

¹⁵² Deleted “Rousseau had....”

¹⁵³ Deleted “There can be....”

¹⁵⁴ Moved “can.”

¹⁵⁵ Deleted “that is still....”

¹⁵⁶ Deleted “a strict....”

¹⁵⁷ Deleted “Why....”

¹⁵⁸ Deleted “an.”

¹⁵⁹ Deleted “they are....”

¹⁶⁰ Deleted “Mr. Albin do you want to prepare for next time? **Student:** Yes. **LS:** Very good. Prepare it for next time. Perhaps we will....”

Session 2: April 2, 1958. Unpublished fragments; *Prolegomena to Any Future Metaphysics*

Leo Strauss: Let us remind ourselves of some general points. I started with a very general and provisional sketch of the problem of historicism and I said that in order to understand that problem, one must turn to a phenomenon preceding historicism, which is the philosophy of history. The philosophy of history we take here in a very limited sense: the notion that there is a historical process which is necessarily and essentially a progressive process, both intellectually and socially. This “idea of progress” developed in the seventeenth and eighteenth centuries on the basis of a number of presuppositions which I will now merely enumerate. The real problem would be to understand the connections between these premises.

First, science for the sake of power. Science is essentially for the sake of power, and therefore there is an essential harmony between science and society. Science for the sake of production of goods and services.

Second, understanding is itself a kind of production. To understand means to construct, or to make.

Three. To understand¹ means to construct as evident, as necessary, as the product of a necessary process, and in principle everything can be understood that way. From this there follows the possibility² of a genesis of reason and changes of reason as a necessary process. This necessary process is a part of the whole cosmic process as a necessary process.

Fourth, in classical atomism there were assumed qualitatively different atoms, atoms differing regarding shape and size. But these must be understood from the new basis as derivative from a homogeneous medium which we may call mute³ matter.⁴ An atom of a specific shape and size must be understood as having come into being. But what about mute matter itself? Has mute matter at any rate not come into being,⁵ [i.e.], is it eternal or semi-eternal? Answer: no. Mute matter is itself the product of a process, indeed of a process of a very peculiar kind. Mute matter is an intellectual construct and therefore something which has a genesis. The ultimate is then the constructing intellect of man. Yet this constructing intellect of man must itself be construed as a product of mute matter. The classical representation of this view is really Hobbes.

Number five. The preceding sentence implies a polarity of matter and intellect or mind. Or differently stated, a polarity of nature and mind, mind here being understood as the human in man, that which makes man human. This polarity means in⁶ more simple terms civilization or progress, and is the fact of man’s becoming the master of nature, of man’s conquering nature. You conquer only an enemy. The relation of man and nature is a rebellion against nature. I leave it at these enumerations and the real task of my analysis would be to understand the connection between these.

Now we turn to Rousseau. And at first glance, Rousseau’s decisive influence on this problem is his awareness that the intellectual progress is moral and political regress or, to state it more cautiously, intellectual progress is something fundamentally different from moral and political progress. This had a decisive influence on Kant.

Now I will first read to you a few passages of Kant's on this subject. These are all⁷ statements found among Kant's papers, not published by him. I have read to you⁸ one of these passages already, I think . . . There is first a general remark about Rousseau, [about] the impression one gets when one reads the writings of Rousseau. There was an outstanding sagacity and⁹ soul, full of feeling, which perhaps no other writer of any age or of any people has had combined,¹⁰ [this] combination of sagacity and feeling. The second impression is¹¹ the repulsion by the strange and absurd opinions which are opposed to everything which is generally accepted, so that one can easily get the . . . suspicion that the author¹² wished to exhibit an extraordinary talent and the charm of eloquence.¹³ This much about the general impressions. You see that Kant was not completely charmed by Rousseau . . . And then there comes this passage which I read to you last time and I think I should read it again: "I myself am a man of inquiry out of indignation. I seek the whole thirst for knowledge and—" What is *begierige*?

Student: Eagerness.

LS: Yes. Very good.

the eager anger to make a grab at knowledge as well as the satisfaction at every problem. There was a time when I believed that all this could constitute the honor of mankind, of people, and I despised the vulgar who knows nothing. Rousseau has brought me into shape. This illusory preference of the scholar or scientist disappears. I learned to honor men, in order no longer to see the honor of man in the trajectory of things, and I would regard myself as much more useless than the common laborers if I did not believe that this reflection—[We don't know which he's talking about, a sort of perfection—LS] . . . gives a value to all others for the purpose of establishing the rights of mankind.ⁱ

So what he learns from Rousseau then is the denial of the supremacy of *theoria*, of contemplation of theoretical understanding.¹⁴ That means at the same time the respect for the dignity of every man. Given the so-called contemplative ideal,¹⁵ respect is strictly given only to the love of contemplation or to others to the extent to which they are potential contemplators. But from this new point of view the respect is given to every man. The justification of philosophy is that it contributes to the establishment or the recognition of the rights of mankind.¹⁶ I mention three points by themselves.

[First], the critique of contemplation, i.e., of pure theoretical reason in the name of morality, of which we have spoken in Rousseau's first discourseⁱⁱ and the supremacy of morality. This notion of the supremacy of morality has a long prehistory behind Rousseau:¹⁷ Socrates at first glance

ⁱ Kant, *Bemerkung zu den Beobachtungen* (1764), [20:44]. All quotations in this session are translated by Strauss unless otherwise noted. The translation of this passage differs greatly from the translation of this same passage he offered in the first lecture.

ⁱⁱ *Discourse on the Sciences and Arts* (1750).

appeared as such a man. The one thing needful is moral virtue and philosophy is in some way the source of that,¹⁸ and therefore the name of Socrates plays a very great role in Rousseau.

The second point is that in the turbulent seventeenth century people tried to find some basis for peace among the various religious groups, and so for some time it seemed that some general recognition of Christianity would be sufficient for . . . peace. Men like Leibniz hoped that there would be if not a reunion at least some arrangement between the Catholics and the Protestants on the basis of the recognition of their common Christianity. But then some people went beyond that and said the only basis on which all men can agree is morality, and therefore the only criterion, the only demand which political society can make on the citizens can only be of a moral kind and not of a religious kind. So that played a great role in the seventeenth and eighteenth centuries and is also of course implied in what Rousseau and Kant are doing.

Now the second point which I mentioned on the basis of Kant's statement just quoted: Kant had a very particular notion of morality. Morality appears . . . to mean recognition of the rights of mankind, of the rights of man. That is a specific interpretation of morality. For example, if you take the traditional notion of morality or virtue, it could not properly be expressed in these terms (although it might imply it).¹⁹ We will see later on when we turn to Kant's *Foundations of the Metaphysics of Morals* that at the beginning²⁰ Kant establishes [that]²¹ the only thing which can be truly valued is the good will, and in this connection he speaks of all the various virtues, say, temperance and courage, and [he] tries to show that they are not in themselves valued. The good will makes them valued. And he mentions all the virtues except one, because he felt instinctively, I believe, rather than that he thought about it; it wouldn't make sense. It's justice. Courage in the looser sense of the word can be misused. Temperance in the loose sense can be misused: think of the miser who is temperate in order to be a good money maker. And wisdom can also be misused: think of clever cunning. But justice cannot be misused. So in other words, there is in Kant a kind of tendency to conceive of virtue primarily in terms of justice, i.e., the social virtue par excellence. And a further step, by no means identical with this one, would be to say [that] justice consists fundamentally in the recognition of the rights of man. Those who have studied Hobbes or Locke a bit will see how this was prepared—how this was prepared by Hobbes and Locke. But this for later on.

Number three. The third point is that theoretical progress is different from moral progress. Morality is not necessarily furthered by intellectual progress. To some extent it is even hindered by it. This much about this.

I turn now to another passage²² which is in a published work of Kant in his *Metaphysics of Morals*, in the German edition which I use on page 141. I will state only the main points.²³ Happiness consists, because there is . . . happiness speaks perhaps in favor of the state of nature as distinguished from civil society, but morality speaks decisively in favor of civil society against the state of nature.ⁱⁱⁱ

What Kant here implies is [that] the consideration of morality is radically different from the consideration of happiness, which is a thesis written large all over Kant. I am now interested only in noting the fact that this very new distinction, the new separation of morality and happiness,

ⁱⁱⁱ *Metaphysics of Morals* (1797) [6:318]. Strauss's translation.

has the root in Rousseau . . . It is clear that up to Kant . . . all philosophic morality did not distinguish, did not separate, happiness from morality. The happy life is the moral life or is the virtuous life. Maybe there are higher forms of virtue than moral virtue; that I do not go into. The happy life is the virtuous life. In other words, the vulgar notion of happiness that we see, a gangster or another crook living in Palm Beach, was not regarded as happiness. He had a lot of sensual pleasures, maybe, but he could never be happy because a despicable and worthless human being cannot be happy because happiness means a state of contentment which is enviable, to give a somewhat popular conception of what happiness really meant—

[change of tape]

—in Kant a radical separation takes place. Considerations of happiness as happiness are wholly alien to morality—eudaemonism,²⁴ that is to say concern with happiness is faithful to morality. I exaggerate the difference. This is prepared by Rousseau, I think, because Rousseau explicitly said, when he spoke of these men of the state of nature (men of the state of nature, the savages), that they are happy and they are good perhaps, but they are not virtuous; they are not moral because they have no sense of duty. Out of simple kindness of the heart they are compassionate . . .²⁵ But fundamentally—all right, let us forget about this minor difficulty. The simple savage [is] compassionate and hence happy in his simplicity, but not virtuous. And that meant that civilized man is in the highest case a virtuous man, but by definition he cannot be truly good and not be truly happy, because civilization prevents him from being truly good and truly happy. Why he cannot be good, kind, that is clear because from Rousseau's point of view civil society means property owning, private property owning societies, and the property owner and everyone connected with private property can for this reason not be simply compassionate. Property owning means to be harsh somewhere to the others.²⁶ And that is, by the way, the point where there is an immediate way from Rousseau to Marx, but this I cannot go into now. The point with which I am concerned now is only this: that this divorce of happiness and morality is really implied in Rousseau and in other points which come up later.

What do all these things have to do with history, or the problem of progress with which we are concerned? Another quotation: "Rousseau proceeds synthetically and begins with natural man. I proceed analytically and begin with civilized man"^{iv}. You see, by the way, how immediately prescient Rousseau is to Kant's own investigations and inquiries. He defines his own procedure in contrast to Rousseau's procedure.²⁷ Rousseau begins synthetically and that means he begins with natural man and follows him on his way to civilized man. Kant begins with civilized man. From this it seems to follow that²⁸ Rousseau needs history, he has to follow this history. And of course Rousseau didn't need it particular[ly] because of the very sweeping character of his statements, but because²⁹ [the study] had to be carried on with precision he would have to fall back at one point or another on history. Kant, on the other hand, by proceeding analytically from civilized man, by looking at us and himself, does not need history, it would seem. Yet there is an implicit historicity in Kant's formulation of the problem. Kant does not begin with *man*, [but with] civilized man. Kant's doctrine deals with man qua civilized man and that, in this formulation, is an indication of the presence of the problem of history and not more than that. And now the last statement, I'm sure, from Kant:

^{iv} Kant, *Bemerkungen zu den Beobachtungen* (1764) [20:14]. Presumably Strauss's translation.

Newton was the first to see order and regularity combined with great simplicity, where prior to him one found³⁰ disorder and multiplicity terribly connected. Since his time comets are running in geometrical curves. Rousseau was the first to discover beneath the multiplicity of human appearances the deeply hidden nature of man and the hidden laws according to which Providence is justified by Rousseau's discovery. Prior to him the objections of Alfonso and Manes were still valid. After Newton and Rousseau, God is vindicated and now, Pope's theorem [i.e., whatever that is—LS], that is true.^v

Student: What is true?

LS: Pope's theorem is true. He does not quote that theorem, but one can know that "whatever is, is best."^{vi} So that is the last of the statements of Kant on Rousseau we have to consider. By the way,³¹ Manes is the originator of the sect of the Manicheans; Mani he is now called. And Manichaeism means that there is a good and an evil principle: the world as we know it is the world of a good principle fighting with an evil one. The world is not simply good, in other words. The refutation of Manes means that the world is simply good, it is the best of all possible worlds. That has been proven by Rousseau regarding human things, whereas regarding the cosmic phenomena it has been proven by Newton.

Now what does this mean, that Rousseau is the Newton of the moral world as a vindicator of Providence? Kant has here in mind the *Discourse on the Origin of Inequality*.³² I have spoken before,³³ in the last meeting, of the difficulty implied in the distinction between natural man and civilized man. The moral law, the natural law, cannot be known; [it] is not in fact known to all men,³⁴ and the natural law is not duly promulgated to all men. These men—cannibals, for example—are excused because they do not know the wickedness of cannibalism. But still, is this not a defect of a moral god, not to promulgate the moral law to all men duly? To which Rousseau replies by implication: God could have done it only by a miracle, and it is more becoming of a wise, an absolutely wise Being not to use any miracles. The fact that the natural law was not promulgated to all men in the beginning and became known only in the course of history is a proof of the wisdom and therefore of the excellence of God. The fact³⁵ that many savages do not know the moral law is due not to negligence, or indifference, or powerlessness on the part of God, but to necessity, to wisdom. It redounds to the glory of God that he was able to construct a world which does not need God's interference in order to be the best of all possible worlds. That is what Kant indicates.

The good life, Rousseau says, is the moral life. But one crucial qualification: what I am going to say about Rousseau applies only³⁶ to that³⁷ part of Rousseau which is interesting to Kant. Rousseau is infinitely more complex, and one can say that at least half of Rousseau was of no interest to him . . . The good life is the moral life as distinguished from the contemplative life. There is a tension between morality and intellectuality. Intellectual progress is not moral progress. The moral principles are given by the conscience; there is no need for theoretical knowledge in order to be moral. Yet the conscience is threatened by false theories; therefore we

^v Kant, *Reflektionen* (1765) [58:12].

^{vi} The final line of Alexander Pope's "An Essay on Man," Epistle I.

need a kind of wisdom in order to protect the conscience against these false theories. Let us call this pursuit Socratic wisdom. Socratic wisdom is needed in order to protect the conscience against false theories. This Socratic wisdom, however, must have a theoretical basis.

What is the theoretical basis of Socratic wisdom? Now in this respect there is a great obscurity in Rousseau. There are two extremes, two poles within which Rousseau moves: The one is a materialistic deterministic cosmology, sketched in the *Discourse on the Origin of Inequality*; the other is a certain deism and dualism, rather heretical, sketched (and developed, even) in the “Profession of Faith of the Savoyard Vicar” in Rousseau’s *Emile*. I do not know if there are any among you, or all of you, who have read *Emile* or who even know about it. The *Emile* is a work on education, a classic, and at a certain moment³⁸ in the education of a young man called Emile, whose educator is none other than Rousseau himself, this young man had to be introduced into theology, into the teaching of God, because Rousseau prevented him from hearing the very word God until he was about seventeen or eighteen because he was sure that anything he would say about God to him at an earlier stage would be grossly misunderstood, because he would have much too crude a notion to understand. Now in this context Rousseau gives a theology, but he doesn’t give it in his own name but in the name of a very heretical Catholic priest. And now there is a very great question. Rousseau does not identify himself with the Catholic priest, and that is very ambiguous because this teaching includes the denial of miracles and the denial of the createdness of matter, and some other very important remarks. So either the Savoyard vicar³⁹ said things which Rousseau would have not have dared to say, so that as it were a magnificently simple political . . . in the Savoyard . . . Rousseau may have been on the right of it, meaning more conservative, but he may also have been on the left of it, more progressive. No one can say with an absolute certainty without having made such a study . . . ever been made.

To come back to the main point: the theoretical basis of Rousseau’s Socratic wisdom is extremely dark, which does not mean that there are not many books in existence in which with the utmost confidence people say these and these are the theoretical bases. That is one of the characteristics of scholarship. And one . . . There is something more: Rousseau makes an attempt . . . to be neutral in the following sense. Let us take such a simple and radical contrast as materialism and spiritualism. To give an account which is indifferent to the conflict between materialism and spiritualism, he does it in the following way. He says that the characteristic difference of man, that which distinguishes man from the brutes, is *not* rationality but freedom. And that is a powerful sentence of enormous social consequences. Not rationality but freedom. And we will find the traces of this statement in Kant. But then he goes on to say [that] this freedom is not universally admitted, and he will say something which will be granted by everyone, by materialists as well as by spiritualists, and that is that man is perfectible, not free. So I am only concerned now with this aspect of things, that Rousseau tries at least this once to make an attempt to be neutral in the great metaphysical contest. Where he stood, that is very hard to say. Rousseau moves somehow between these two opposites, deterministic materialism and deism. Where, we do not know.

Now Socratic wisdom, which is required for protecting the conscience, would seem to demand that this question, the metaphysical question, be settled. Kant settled it by his *Critique of Pure Reason*. I would like to state the problem in the clear terms in which Kant states it. There are these alternatives: atheism/deism; determinism/recognition of freedom; materialism and

immortality of the soul. ⁴⁰ According to Kant, this was the issue and Rousseau agreed to that: atheism versus deism, determinism versus recognition of freedom, and materialism versus immortality of the soul. As I said, Rousseau does not explicitly and clearly settle the issue, so we do not know where he stands. Kant tries to settle it by his *Critique of Pure Reason*. Now what enabled Kant, or rather what stimulated him to settle this question in the peculiar way in which he settled it was Hume's critique of causality. Critique of causality: that seems to offer an interesting possibility. To criticize causality, universal determinism, might be thought to mean to find room for freedom. Hume does exactly the opposite. His doubt of causality—it can be called doubt—implies the impossibility of freedom. The impossibility of freedom is in no way affected by any skeptical doubts Hume has had regarding causality. This we must see clearly, otherwise we will not understand what Kant is about. I read to you a passage from [book 2], part 3, section 1, of the *Treatise on Human Nature*:

'Tis universally acknowledg'd, that the operations of external bodies are necessary, and that in the communication of their motion, in their attraction, and mutual cohesion, there are not the least traces of indifference or liberty. Every object is determin'd by an absolute fate to a certain degree and direction of its motion, and can no more depart from that precise line, in which it moves, than it can convert it itself into an angel, or spirit, or any superior substance. The actions, therefore, of matter, are to be regarded as instances of necessary actions; and whatever is in this respect on the same footing with matter, must be acknowledg'd to be necessary. That we may know whether this be the case with the actions of the mind, we shall begin with examining matter, and considering on what the idea of a necessity in its operations are founded, and why we conclude one body or action to be the infallible cause of another.

The word “infallible” is a very unusual expression.

It has been observ'd already, that in no single instance the ultimate connection of any objects is discoverable, either by our senses or reason, and that we can never penetrate so far into the essence and construction of bodies, as to perceive the principle, on which their mutual influence depends.

That is the meaning of [Hume's]^{vii} critique of causality.

'Tis their constant union alone, with which we are acquainted; and 'tis from the constant union the necessity arises. If objects had not a uniform and regular conjunction with each other, we shou'd never arrive at any idea of cause and effect; and even after all, the necessity, which enters into that idea, is nothing but a determination of the mind to pass from one object to its usual attendant, and infer the existence of one from that of the other. Here then are two particulars, which we are to consider as essential

^{vii} Strauss says “Rousseau,” evidently in error.

to necessity, viz. the constant *union* and the *inference* of the mind; and wherever we discover these we must acknowledge a necessity.^{viii}

Now then he applies this to whether it is true of the actions of the mind, whether we do not find there also constant union and the inference of the mind. And we do; hence the actions of the mind and especially the actions of the will are as *necessary* as the falling of a body or any other action of matter.

So Kant did not turn to Hume in order to learn from Hume's critique of causality to find . . . a loophole, let me say, for freedom. Question: What then did he learn from Hume? . . . I would like to give, in other words, a provisional answer to this question as to what Kant learned by thinking through Hume's critique of causality. I state it as follows. Kant found or believed that Hume starts from a premise, which was the premise of the whole tradition as Kant saw it. This premise can be stated as follows: All judgments are either analytical or else synthetic judgments *a posteriori*. There are no synthetic judgments *a priori* . . . Now it is hard—I would like to explain but I can only reproduce Kant's definition. An analytical judgment is a judgment in which the predicate is implied in the subject. Kant did not mean tautological judgment, as is frequently understood, but in which the predicate is implied in the subject. Now, what would this mean? A simple example: man is a mortal animal. Man is a mortal animal. When you think man, you think mortal animal, and you do not learn anything new. What is a synthetic judgment? A synthetic judgment, generally speaking, is one where the predicate is *not* implied in the subject. If you say Mr. Cropsey smokes, that is certainly a synthetic judgment . . . from every point of view, because it has never been seen before. We have to look at it, and through the experience of this very unusual case we learn the unheard-of fact that Mr. Cropsey smokes. So a synthetic judgment⁴¹ [*a posteriori*]^{ix} is a judgment in which the predicate is connected with the subject on the basis of experience, say, sense experience. A synthetic judgment *a priori* would be a judgment in which the predicate is connected with the subject, is not implied in the subject but connected by evident necessity and yet not implied in the subject. Therefore, a synthetic judgment *a priori* cannot of course be possibly derived from experience, because from experience there could never be an *a priori* judgment.

What Kant claims—the most important example, at least on the first level, of a synthetic judgment *a priori* is the principle of causality. According to Kant, it is impossible to deduce from the concept of a thing, ⁴²say of even an event, that it is necessarily preceded by a cause which brought it about. Yet on the other hand, it is absolutely impossible to derive a universal principle like causality from experience, because experience can tell you never more than up-to-now, and if you say up-to-now there has never been a case where an event has not been preceded by a cause, by necessary causes, then in the first place that is not proved by experience. So many events pass unobserved, but even if [they could be observed], they could change any second now. So the principle of causality, without which science is altogether impossible according to Kant, cannot be an analytic judgment and cannot be a synthetic judgment *a posteriori* . . . but must be a synthetic judgment *a priori*.

^{viii} David Hume, *A Treatise of Human Nature*, book 2, part 3, section 1, paras. 3-4. Italics in original.

^{ix} Strauss says *a priori*, apparently in error.

In order to understand the possibility of synthetic judgments *a priori*, Kant has to develop a notion, which in this form is entirely original to him, of the *spontaneity of the understanding*, the understanding as understanding and, say, to want to reason as reason, by the spontaneous act connects—synthesizes, connects—this fundamental synthesis . . . Synthetic judgments *a priori* are, taken as a whole, the necessary condition of experience. Experience doesn't mean sense data or sense impressions. Sense impressions are isolated, fragmentary, meaningless things. They become experience through interpretation, and this interpretation is fundamentally affected by the act of the pure understanding, spontaneous acts of the pure understanding.⁴³ [That] the pure understanding, in no way empirical, constitutes any possible object of experience—that is a very misleading expression. The general character of any possible object of experience is established by the spontaneous act of the understanding. This is of course what the pure understanding does, by circumscribing the general character of any object of understanding that is not yet an actual object of experience. It is a form. The form can only be filled by experience and ultimately by sense data.

Now if this is so, we understand from here how a true science is possible, a science based on universal validity and evident necessity. And yet, while this same science can become actual only of sensible objects⁴⁴ so that a possible object of experience becomes an actual object of experience, sense perception is required. There cannot be any knowledge of non-sensible beings, suprasensible beings, if they are [any]. There cannot be any knowledge of God and the soul. In other words, the atheistic, deterministic, materialistic science is absolutely necessary, and there is no possibility to interfere with this on any grounds. It is impossible in the study of sensible phenomena to find something like a miracle . . . absolutely impossible, because in every case, if you are confronted with an explanation of a phenomenon as miracle, you always will be compelled, according to Kant, to raise further questions into the peculiar specific conditions of this phenomenon, which on the basis of previous knowledge would be a miracle. The scientist would say he may have to change a somewhat narrow notion of natural phenomena which we have given. There cannot be any knowledge, theoretical knowledge, of suprasensible things and their actions.

But, and now we come to the crucial turn, this whole knowledge, prescientific or scientific, is only knowledge of the phenomenal world⁴⁵; only of the phenomenal world precisely because this cooperation of human reason, which sense perception constituted,⁴⁶ is not knowledge of the things as they are in themselves or, to use the strange Kantian expression, of the thing-in-itself. Yet there is a kind of knowledge of a purely rational kind, of a purely rational character which is incompatible by its very nature with dependence on experience. Our theoretical knowledge, say our understanding of causality for instance, is essentially dependent on experience in this sense, so that it points us to experience for its fulfillment. The general principle of causality is in itself something revealed to you in things if it is not applied in the course of analysis to sensible things. There is a kind of purely rational knowledge which is incompatible with dependence on experience in any sense, and that is moral knowledge, knowledge of the moral law. This is knowledge, but knowledge of an absolutely suprasensible kind, and therefore knowledge in the sense of the thing-in-itself, of true reality. Now moral knowledge, knowledge of the moral law, stands and falls by freedom, and also by God and the immortality of the soul. Therefore metaphysics—knowledge of freedom, God, and the immortality of the soul—is possible, but only in a practical respect. It is not possible as theoretical or speculative metaphysics. That is a

very crude statement⁴⁷ of the general character of Kant's reply to Hume. In other words, this atheistic, deterministic, materialistic view is inevitable and perfectly legitimate in every theoretical understanding, but it is also equally true that it is only an understanding of the phenomenal world, not of true reality. Of true reality we have an inkling only through the conscience, and the conscience enables us, and to a certain extent even compels us, to postulate the existence of God and the immortality of the soul. Now let us see what Mr. Hoppe has succeeded in extracting from the preface to the *Prolegomena*.

Thank you very much for your paper.^x Now I do not know whether I made clear a conclusion I had in mind when I gave my extremely sketchy summary of what Kant learned by thinking through Hume's critique of causality. Now I think the following thing must have appeared: that Kant, by his *Critique of Pure Reason*, solved Rousseau's problem. The status of that Socratic wisdom and the question of the dependence of that Socratic wisdom on theoretical science—that is all metaphysics,⁴⁸ at least in the following way. Kant proved, or claimed to have proven, the supremacy of morality by having shown—that is, proven—the fundamental inadequacy of theory, of contemplation. Our theoretical faculty does not permit us to understand more than the merely phenomenal, and⁴⁹ there is no possibility of a theoretical metaphysics at all. The highest knowledge of which man is capable is the knowledge of the moral law, and this knowledge is accessible to every human being as human being. There is no superiority in the decisive respect possible. In a secondary way, there are such superiorities. Namely, if the question arises how to defend the conscience . . . Rousseau, against false theories, that is not everybody's business, that requires a very great effort, as Kant pointed out for example in the introduction of the *Prolegomena* which . . .⁵⁰

We will discuss now somewhat more closely the introduction to the *Prolegomena* and next time there will be no paper. We will study the second preface to that *Critique of Pure Reason* and also certain other passages in the *Critique of Pure Reason*. Now what did you mean by the bottleneck? That I found a very interesting observation, but I was not quite sure whether I understood.

Mr. Hoppe: I found that the bottleneck consisted in this: That on the one hand, the deduction of these concepts, physics, was a very difficult thing because it utilized previous metaphysical achievements in solving or in proving the basis of metaphysics, whereas on the other hand he assumes, and as a matter of fact even explicitly says in one of the places, that in order to investigate pure reason he has only to use pure reason. Well, I think that is a contradiction.⁵¹ Why is pure reason sufficient to examine itself, while metaphysics is incapable of participating in its requisite forms in order to prove its possibility?

LS: May I make a pedagogic remark, as an old man? Don't be so quick to say "a contradiction."^{xi} In our very informal discussions here, one should always use the strongest word. We do not have to be so cautious here. But I notice that some people, even in later life, in writings, in published writings speak so easily of contradictions without having considered whether there is really only a difference and apparent contradiction. But the difficulty to which

^x Strauss begins his response to Mr. Hoppe's paper, which was read aloud in class. The reading was not recorded.

^{xi} There is an inaudible exchange here, followed by laughter.

you refer is a very serious one. Whether Kant solves it or not is a very long question.⁵² Kant says we can have knowledge properly only of scientific phenomena. Let me omit now the problem of mathematics which of course is a special case, but let me take a simple version . . . We can have only knowledge of phenomena. Let me begin with that. Is this a correct statement?⁵³ I notice right away a very great difficulty. What about mathematics? What is the status of mathematical knowledge for Kant?⁵⁴ Is mathematical knowledge not a knowledge of sensible phenomena? When you study a circle you do not study this thing here [LS writes on the blackboard], you use it only as a help for understanding a circle. What is the status of mathematical knowledge in Kant?

Mr. Hoppe: It would have to be a synthetic judgment *a priori*.

LS: Yes, but⁵⁵ what about the subject matter of mathematics? Let us take the simple and clear case of geometry. Geometrical figures are spatial things: pure space, no matter. What about space? What is space, according to Kant?

Mr. Hoppe: A possession of the mind.

LS: Yes, but more precisely, a form of intuition. Let's call it intuition. In other words, mathematics is based⁵⁶ on our pure intuiting, whatever that may mean. Human knowledge in general is vague also but⁵⁷ there are two forms of intuition: space and time. They are based also on acts of understanding proper. Take the categories. What does Kant do? Kant, instead of using the categories for understanding (say, a comet or a cat) looks at the categories and the forms of intuition and their relation and so on, directly. Kant, instead of using the categories, makes the categories the theme. Kant's work is distinguished from that which we all do in everyday life and which we do as scientists by the fact that it is self-knowledge—self-knowledge not indeed of him as this individual, Kant, but of him as a rational being. Reason knowing itself.

Now there is a question, a very great question indeed: What is the status of this reason knowing itself? Did Kant sufficiently clarify the status of this knowledge? In other words, all knowledge is phenomena, has to do with phenomena, but a knowledge concerned with the phenomenality, with that which makes possible phenomena, does this not have a radically different status? . . . That is indeed a great question, and one can even say that this was the starting point of the development⁵⁸ after Kant in German thought. In other words, is not this pure reason which Kant claims to have discovered in its true character, is this not the thing-in-itself? Is this not the actual? . . . One can say that this is exactly the point of Hegel, that the *Critique of Pure Reason* understood [properly]—better understood than Kant understood it himself—means that⁵⁹ the absolute, the thing-in-itself, is now for the first time perceived without Kant's being aware of it. Kant had this very crude piece, that there is an understanding of the human mind, the phenomenal world, and then there is somewhere the thing-in-itself, as such unknown. And Hegel says—well, I cannot go into the argument . . . but Hegel's fundamental contention is that that which is the ground of the phenomenal world, which makes possible the phenomenal world, [i.e.], the mind, that is no longer phenomenal, that is the thing-in-itself. That is a very crude statement and must be taken only as such.

Now let us turn to the *Prolegomena*, to the Introduction and let us consider two passages. In the fourth paragraph, on page 41, he says,

Reader:

If metaphysics is a science, how does it happen that it cannot win for itself universal and lasting applause like other sciences? If it is not a science, how is it that under the semblance of a science it is ceaselessly boasting and holding out to the human mind hopes that are never extinguished and never fulfilled? Something definite must be worked out respecting the nature of this assumed science, whether it demonstrates our knowledge or our ignorance; for it is impossible that metaphysics should remain on the same footing any longer.^{xii}

LS: Why does this follow? In other words, metaphysics always had a dubious status, but⁶⁰ why can it not go on any longer? Let us see.

Student: Because of the achievements of physical science.

LS: Let us read the next paragraph:

Reader:

It seems almost ridiculous that, while every other science moves forward ceaselessly, this one claiming to be wisdom itself, whose oracular pronouncements everyone consults, is continually revolving in one spot without advancing a step.^{xiii}

LS: Let us leave it at that. You see, that is⁶¹ only another indication of the crucial importance of the idea of progress.⁶² The mere fact that all the sciences progress whereas metaphysics obviously does not progress is an additional proof that metaphysics is not a science, at least not yet a science.⁶³ Since we are now in this age where we have more clarity about the essentially progressive character of the sciences, we say “put up or shut up.” There is no possibility of going on with a pursuit that is not essentially progressive. That is another consideration.

Student: . . .

LS: . . .

Same Student: . . .

LS: Yes,⁶⁴ but since there is science (that will be taken up in the preface to the *Critique of Pure Reason*) from Kant’s point of view, science does not begin before Galileo.⁶⁵ Mathematics of course is Greek, but physics does not begin until Galileo.⁶⁶ This is strangely puzzling for one

^{xii} Immanuel Kant, *The Philosophy of Kant: Immanuel Kant’s Moral and Political Writings*, ed. Carl Friedrich (New York: Modern Library, 1949), 41; [4:255-256]

^{xiii} Friedrich, 41.

reason. Reason cannot know of a single science which was completed, which therefore did stagnate?

Student: Logic.

LS: Logic did not make a single progressive step since Aristotle, so non-progressivity cannot be in itself a good argument. And another consideration: What about Kant's *Critique of Pure Reason*, Kant's whole critical enterprise itself? Kant was sure that by himself, or perhaps by some young people trained by him, it would be finished. This height of all sciences, this self-knowledge of reason, the new metaphysics or however you would call it, would be finished completely by Kant or, at the latest, in the generation after Kant and then there could not be any further progress . . . Of course, this is a very popular and provisional statement, but it is still revealing. Now we turn to the third paragraph after this.

Reader:

At the same time I confidently dare to predict that the thoughtful reader of the *Prolegomena* will not only doubt his precious science, but will be quite convinced in the end that such a science cannot exist unless the demands made here have been satisfied; for upon them rests the possibility of metaphysics. Inasmuch as this has never happened, there is as yet no such thing as metaphysics. But, since the demand for metaphysics can never disappear because the interests of universal human reason are so intimately bound up with it, the thoughtful reader will confess that a complete reform, or rather a new birth, is inevitable according to a plan hitherto quite unknown, however much this may be resisted for a time. ^{xiv}

LS: That is important. Kant does not say that metaphysics is bunk. The utmost he would say is the existence of the previous metaphysics is bunk. What he seeks is⁶⁷ the true metaphysics, and this requires a complete reform—⁶⁸but this expression is not strong enough for him—⁶⁹rather, a *new birth*⁷⁰. What is the difference between these two expressions, a complete reform and a new birth?

Student: Something which has not previously existed is born . . .

LS: Yes, in other words, a complete reform would mean there are some elements which should be left—not even that is accepted. Now let us see, let us go on and read the sequel.

Reader:

Since the attempts of Locke and Leibniz, or rather since the first rise of metaphysics, no event has occurred that could be more decisive for the fortunes of this science than the attack made upon it by David Hume. He contributed no new light to this kind of knowledge, but he struck a spark by which a light might have been kindled had it encountered receptive tinder whose glimmer could have been preserved and enlarged.

^{xiv} Friedrich, 42 [4:256-257].

Hume took for his initial starting point a single but important conception of metaphysics, namely, that of the *connection of cause and effect* (together with the derivative conceptions of force and action, etc.)

LS:⁷¹ “The connection of cause and effect *therefore* also of the . . .”

Reader:

He demanded that reason, which pretends to have given metaphysics birth—

LS: No. Let me see. “The concept of the connection of cause and effect.”

Reader:

give a reasoned answer to the question: By what right does reason think that something else is of such a quality that—^{xv}

LS: Let us get this straight, [so] that you understand this. How did he translate this? It should be: “And he asks reason which pretends to have generated that concept, [namely], of the concept of cause and effect in—” . . . How did he translate?^{xvi}

Reader:

By what right does reason think that something is of such a quality that on its being posited something else is thereby necessarily also posited? For that is the meaning of the concept of cause. Hume proved irrefutably that it is quite impossible for reason to imagine this connection *a priori* and based on a mere concept since this connection involves necessity. It is not at all apparent how, because something exists something else must necessarily exist, and thus how the concept of such a connection can be introduced *a priori*. Hence Hume concluded that reason completely deceived itself by this concept, that reason falsely claimed this concept as its own child, while it was nothing more than the bastard of the imagination which, conceived by experience, had brought certain representations under the law of association, and had substituted a resulting subjective necessity, i.e. habit, for an objective necessity based on insight. From this he concluded that reason possessed no faculty for thinking of such connections even in general terms, because if it did its concepts would then be mere constructs, and all its pretended *a priori* knowledge nothing but common experiences mislabeled; which is to say

^{xv} Friedrich, 42; italics and parentheses in Friedrich [4:257].

^{xvi} The inaudible portion makes it difficult to determine Strauss’s objection to the translation. The original reads: “Hume ging hauptsächlich von einem einzigen, aber wichtigen Begriffe der Metaphysik, nämlich dem der Verknüpfung der Ursache und der Metaphysik, nämlich dem der Verknüpfung der Ursache und Wirkung, (mithin auch dessen Folgebegriffe der Kraft und Handlung etc.) aus und forderte die Vernunft, die da vorgiebt, ihn in ihrem Schooße erzeugt zu haben, auf, ihm Rede und Antwort zu geben, mit welchem Rechte sie sich denkt: daß etwas so beschaffen sein könne, daß, wenn es gesetzt ist, dadurch auch etwas anderes nothwendig gesetzt werden müsse; denn das sagt der Begriff der Ursache.”

that no such thing as metaphysics exists at all and that there is no possibility of its ever existing.^{xvii}

LS: . . . What then does Kant say about Hume's great work? The connection of cause and effect, Hume is said to have proven,⁷² cannot be thought by reason out of concepts. What could that mean? Does anyone have an inkling of this discussion prior to Kant? I will give you an example. Leibniz has said that there are two kinds of verities (and that is very important for Kant's own doctrine),⁷³ verities of reason and verities of fact; and each of these kinds of verities has a principle of its own.⁷⁴ The principle of the verities of reason is the principle of contradiction, so you see here is the recent origin of Kant's⁷⁵ notion of analytical judgment. The principle of analytical judgment is the principle of contradiction, i.e., you can test the truth of an analytical judgment always without looking at anything, by merely seeing whether the analytical judgment is self-contradictory or not. If you say a circle is a square, you don't have to look around you, you only have to remember what you think by circle. You see that the predicate contradicts the subject. The principle of contradiction . . . But as for the verities of fact, Leibniz says this has the principle not of contradiction . . . but the principle of sufficient reason, that there is no fact or event which has not a sufficient reason for coming about. As far as I remember, Leibniz left it at this juxtaposition, and then there came a famous professor, Christian Wolff,^{xviii} who prepared Leibniz for universal treatment. And among the other things which Wolff did . . . he proved, or tried to prove, the principle of sufficient reason, which is another statement of the principle of causality. He tried to deduce the principle of causality from the principle of contradiction, in other words that the denial of the principle of causality is self-contradictory. Now that had been done before, e.g., Hobbes in *De Corpore*. I do not know the other modern treatments well. Do you remember anything, Mr. Burton, in Leibniz?^{xix}

Kant says that they are irreducible according to Leibniz himself. That I did not know.⁷⁶ What Hume tried to show is that it is impossible to deduce the principle of causality from the principle of contradiction. It is not self-contradictory to say that an event happens without having any cause. It is a very difficult question into which I cannot go here . . . the question as to how far Hume's doubt of causality extends. Recently the discussion does not go beyond this immediate question. One could put it this way: One alternative is that everything which comes into being comes into being necessarily out of something and through something; the other alternative is that everything which comes into being⁷⁷ may come into being out of nothing, through an omnipotent God, which of course would not be a denial of causality but an assertion of it. There are also some passages in Hume which go beyond that but that is a difficult question and which would deserve a very close study.

Let us accept Kant's interpretation of Hume at its face value, that Hume has proven that⁷⁸ the denial of the principle of causality is not self-contradictory. Then the question arises: How do we know it? And Hume says—

^{xvii} Friedrich, 42-43 [4:257-258].

^{xviii} Christian Wolff (d.1754). Often considered the most important German philosopher between Leibniz and Kant, Wolff wrote on a large variety of topics and is a paradigmatic example of the German enlightenment. His attempt to prove theological doctrines with the certitude of mathematics was very controversial in its day.

^{xix} An inaudible exchange between Strauss and Mr. Burton follows.

[change of tape]

—the insurmountable inclination to expect similar sequences as they have observed in the past. To take a simple example, we have observed in the past that when spring comes people wear lighter clothing⁷⁹ than they wore in winter. This we see year after year, but that is of course not a good example because it is only once a year. I cannot think of a good example at the moment. Somehow we observe the sequence as A followed by B all the time . . . and we have seen many such sequences. Now this creates an insurmountable inclination to expect B when we observe A. But we do not see the necessity of this. The necessity is only a necessity of our getting accustomed to it. There is no evidence. It is a mere psychological state. There are great questions involved in this very thing and I use somewhat carelessly the term law of association.⁸⁰ What about Hume's whole enterprise? Is this not an attempt to explain science by science, the scientific method? . . . I cannot go into that.

At any rate, Kant⁸¹ restates here in his way the result of Hume:⁸² the principle of causality is not evidently necessary, it is not self-contradictory to deny it. What is its status? Now Kant speaks in the sequel of the fate of human observations, and people did not understand him, and he mentions this . . . it was not the question, he says, whether the concept of cause was correct, useful, and indispensable regarding all natural science, for Hume had never questioned that. The question was whether it was thought by reason *a priori* and in this way had an inner proof independent of all experience, and hence also had probably a more extended usefulness which was not limited to objects of experience. And here Kant indicates the implication of⁸³ Hume's analysis of causality for metaphysics. Metaphysics is understood by Kant to mean knowledge—a science *a priori*, a science in no way based on experience.⁸⁴ That is a concept of metaphysics which is typically modern. One cannot say that Aristotle's metaphysics is altogether independent of experience. Think only of the demonstration of the existence of God⁸⁵ from motion which Aristotle gives, which at the first level is motion, as we say, empirically known. But at any rate, Kant assumes that metaphysics is a strict *a priori* science, and metaphysics has to make use of the principle of causality. But if the principle of causality is not an *a priori* concept then metaphysics as such, as an *a priori* science, may be used but the principle of causality may not. At the end of the next paragraph, the paragraph beginning "But to satisfy the conditions of the problem," read.

Reader:

To have done the problem full justice, the opponents of this celebrated man would have had to penetrate deeply into the nature of reason, in so far as it is occupied solely with pure thought, a course which was inconvenient for them. Therefore they invented a more convenient means by which they might defy him without any insight, namely, the appeal to the common sense of *mankind*. Common sense^{xx} is indeed a great natural gift to possess.

^{xx} In original: "(or, as it has been recently called, plain sense)."

LS: “a great gift of *heaven*.” Why does he have to change that? “It is indeed a great gift of heaven.”^{xxi} Go on.

Reader:

But it must be proved by acts, by the thoughtfulness and reasonableness of what one thinks and says, and not by appealing to it as an oracle when one has nothing intelligent to adduce to justify oneself. ^{xxii}

LS: So then he develops this whole theme that an appeal to common sense is altogether impossible⁸⁶ in speculative matters. We must keep this in mind and see what Kant’s appeal to the moral consciousness, which is so crucial for his whole philosophy, means later on. Now let us see the continuation of the argument in the⁸⁷ paragraph following.

Reader:

I readily confess that the reminder [challenge] of David Hume was what first interrupted my dogmatic slumber many years ago and gave my research in the field of speculative philosophy quite a different direction. I was quite far from accepting the consequences which resulted merely from his not having faced the problem squarely—^{xxiii}

LS: Not “squarely.” “*Nicht in Ganze*” [means] not as a whole, not altogether, he attacked it only in a limited way . . .

Reader:

but having only attacked a part of it which could not possibly afford a solution by itself. ^{xxiv}

LS: Let us then read the beginning of the next paragraph.

Reader:

First of all, I tried to see whether Hume’s observation could not be made general and soon found that the concept of the connection of cause and effect was not the only one, by a great deal, by which the intellect thinks *a priori* of the connections of things, but that metaphysics consists entirely of such concepts. I endeavored to ascertain their number, and as I succeeded in doing this to my satisfaction, namely, out of a single principle, I proceeded to the deduction of these concepts, which I was now assured could not be derived from experience as Hume had pretended, but must have originated in the pure intellect. This deduction that had seemed impossible to my acute predecessor and that had not even occurred to anyone except him, although everyone unconcernedly used these concepts (without asking on what their objective validity rested); this deduction, I

^{xxi} “eine große Gabe des Himmels.” [4:259]

^{xxii} Friedrich, 44 [4:259]

^{xxiii} Friedrich, 45 [4:260]

^{xxiv} Friedrich, 45.

say, was the most difficult problem that could ever be undertaken in the interests of metaphysics. The worst of it was that metaphysics, so far as it exists at all at present, could not afford me the least help because the above deduction was needed to make metaphysics possible in the first place. Having now succeeded in the solution of Hume's problem, not only in one particular case, but in respect to the entire capacity of pure reason, I could at least determine more surely, though still only by slow steps, the whole range of pure reason in its limits as well as in its content. I could determine it completely according to the universal principles which are required for metaphysics in order to construct its system on a secure plan.^{xxv}

LS: Now why did Hume limit himself to causality? Now here I must speak entirely from a very vague memory. Perhaps some of you remember it better. Hume speaks of a number (three, I believe) of principles of connection of ideas. Ideas are connected by contiguity, that is one thing; cause and effect is another; and the third [is] resemblance. Now what Hume has in mind, the special status of the principle of causality, of cause and effect, is this: That⁸⁸ whereas in the two other cases, contiguity and resemblance, we do not go beyond the present idea,⁸⁹ but there is such a going beyond that takes place in the case of cause and effect. The claim⁹⁰ of the principle of cause and effect is much higher than that of contiguity and resemblance . . . Hume concentrates on cause and effect. At any rate,⁹¹ from Kant's point of view cause and effect, this particular way of connecting, is one of many, and Kant believes he has succeeded in discovering the picture of the possible connection, fundamental connection . . . and he arrived at that by a radical restatement of the Aristotelian teaching regarding the categories and linking that up with an analysis of judgment, into which I cannot now go. Let us continue to read only the end of⁹² one passage which is important for our purposes. The third paragraph after the one we read.

Reader:

We have long been accustomed to seeing old and worn-out theories remodeled by being taken out of their former coverings and fitted to a systematic garment according to our own approved style but under new titles; the great majority of readers will expect nothing different from our *Critique*. But these *Prolegomena* will convince him them that it is quite a new science of which no one had previously had the smallest conception, of which even the ideas was unknown, and with reference to which all hitherto received knowledge was unavailable, with the exception of the hint afforded by Hume's doubt. But Hume never dreamt of a possible formal science of this nature—^{xxvi}

LS: Let us leave it at that. You see, Kant claims that it is an absolutely, entirely new science, a science never even thought of before—an hitherto unknown dimension and an even unexpected dimension that has been discovered by Kant. The question is, and Kant does not say anything about this in our present context: What exactly is that new dimension? Now the answer to this

^{xxv} Friedrich, 45-46 (parentheses added by the translator) [4:260-261]

^{xxvi} Friedrich, 47 [4:261-262]

question we will find, at least sufficient for our purposes, in the prefaces to the *Critique of Pure Reason*, to which we will turn next time.

But I would like to repeat only a point I made before. The point is that the whole problem is concentrated in what Kant calls synthetic judgments *a priori*. Synthetic judgments *a priori*: in other words, that there are necessary and evident connections which are not established by the principle of contradiction. It is not self-contradictory to question the principle of causality and yet it is very far from being arbitrary; there is a necessity which is no longer simply logical, a true necessity which compels us to assert the principle of causality; and therefore the principle of causality is a true principle, and not a principle valid on the basis of previous experience and therefore valid only on these other notions. That is the crucial point: anything stemming from experience from Kant's point of view can never be of true necessity and of true universal validity. It always must be supplied with the qualification "up-to-now," and it is not⁹³ even possible to say that the principle of contradiction has up-to-now always in fact been practiced . . . because what men have observed can only be a very small . . . An infinite variety of processes are going on all the time which remain absolutely unobserved—maybe all kinds of little elves are there. With what right can we exclude that? We cannot only say that there are historical problems; it is impossible.

⁹⁴To come back to the main point, Kant's great enterprise does not consist in exploiting Hume's critique of causality for asserting freedom, in the way in which some people now use the principle of indeterminacy in nuclear physics . . . Kant admits, just as Hume before him, [that] there is no way of escaping absolute determinism in all our theoretical knowledge. There is full agreement between Hume and Kant and Leibniz and Hobbes and Spinoza in this characteristic. But Kant questioned not determinism but the whole sphere to which determinism congenitally belongs: the sphere of our experience, prescientific, scientific, and everything belonging to that. And this depiction is such in a way beyond this: There is true reality, what Kant calls the thing-in-itself, and the only access to that which we have is the conscience. Next time we will read the two prefaces.

[end of session]

¹ Deleted "is...."

² Deleted "of a...."

³ Recording is unclear, possibly "moot."

⁴ Deleted "they must be everything, specific...."

⁵ Deleted "but...."

⁶ Deleted "other...."

⁷ Deleted "posthumous...."

⁸ Deleted "this passage...."

⁹ Deleted "very...."

¹⁰ Deleted "such...."

¹¹ Deleted "the...."

¹² Deleted "wished to prove...."

¹³ Deleted "and that...."

¹⁴ Deleted "and...how...."

¹⁵ Deleted "the."

¹⁶ Deleted "this...let us see...."

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- 17 Deleted "but...."
- 18 Deleted "but this view took on...."
- 19 Deleted "We shall later...."
- 20 Deleted "Kant...."
- 21 Deleted "this is."
- 22 Deleted "which is not...."
- 23 Deleted "Happiness, Kant says...."
- 24 Deleted "that...eudaemonists...."
- 25 This sentence is indecipherable, though it seems to include the words "refined cultures" and "American Indians."
- 26 Deleted "and the...that...."
- 27 Deleted "Kant...."
- 28 Deleted "Rousseau's procedure...."
- 29 Deleted "it."
- 30 Deleted "disorder and multiplicity...."
- 31 Deleted "Manes...the name...[inaudible]."
- 32 Deleted "Now we...."
- 33 Deleted "the difficulty...."
- 34 Deleted "and this...."
- 35 Deleted "that savages...."
- 36 Deleted "to that Rousseau...."
- 37 Deleted "means only that...."
- 38 Deleted "in the...."
- 39 Deleted "had."
- 40 Deleted "That was...."
- 41 Changed from "*a priori*." We infer that LS misspoke since he is here speaking of synthetic judgments derived from experience which he later contrasts with synthetic judgments not derived from experience and which he calls *a priori* synthetic judgments.
- 42 Deleted "of."
- 43 Deleted "the understanding."
- 44 Deleted "because..."
- 45 Deleted "it is...."
- 46 Deleted "it...."
- 47 Deleted "of how Kant...."
- 48 Deleted "in...."
- 49 Deleted "there is...."
- 50 Deleted "So, now...."
- 51 Deleted "Why can you use...."
- 52 Deleted "and this is what...."
- 53 Deleted "'cause I...I...."
- 54 Deleted "is mathematical...."
- 55 Deleted "what about...."
- 56 Deleted "on our...."
- 57 Deleted "apart from...."
- 58 Deleted "of..."
- 59 Deleted "the absolute is now...."
- 60 Deleted "why can we not...."
- 61 Deleted "why...."
- 62 Deleted "The mere...I mean...."
- 63 Deleted "And."
- 64 Deleted "sure...but...."
- 65 Deleted "and."
- 66 Deleted "No but...."
- 67 Deleted "the true metaphysics."
- 68 Deleted "but this...."
- 69 Deleted "or."

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- ⁷⁰ Deleted “new birth.”
- ⁷¹ Deleted “[inaudible] connection of cause and effect, therefore also....”
- ⁷² Deleted “cannot be....”
- ⁷³ Deleted “Leibniz has said that there are two kinds of verities.”
- ⁷⁴ Deleted “The very....”
- ⁷⁵ Deleted “concept of”
- ⁷⁶ Deleted “And then there was....”
- ⁷⁷ Deleted “comes into....”
- ⁷⁸ Deleted “the principle of causality....”
- ⁷⁹ Deleted “than they....”
- ⁸⁰ Deleted “What about this?”
- ⁸¹ Deleted “states....”
- ⁸² Deleted “causality is not....”
- ⁸³ Deleted “Hume’s....”
- ⁸⁴ Deleted “that is a....”
- ⁸⁵ Deleted “which....”
- ⁸⁶ Deleted “matters....”
- ⁸⁷ Deleted “second.”
- ⁸⁸ Deleted “in....”
- ⁸⁹ Deleted “but there is....”
- ⁹⁰ Deleted “of the....”
- ⁹¹ Deleted “Kant....”
- ⁹² Deleted “this....”
- ⁹³ Deleted “even....”
- ⁹⁴ Deleted “So in other....”

Session 3: April 7, 1958. *Critique of Pure Reason*

Leo Strauss: I cannot repeat all the points we made¹ in the previous meeting as far as Kant is concerned. I remind you only for the sake of the record that the problem which I am trying to understand concerns Kant's philosophy of history, with a view to² the broader problem of history as such and not merely in the Kantian interpretation.³ We will come back to that.⁴

We must now try to understand what Kant's overall intention was, and we started from the observation that Kant expressed his gratitude to two great contemporaries, to Rousseau and to Hume, and I will now try to summarize again what he learned from these two men, and the summary is really now mere enumeration without any attempt at interpretation.

What he learned from Rousseau. First, the supremacy of morality. Secondly, morality is primarily recognition of the rights of man. Third, moral progress is fundamentally different from intellectual progress; there is a tension between morality and theoretical reason. To anticipate later developments, morality requires freedom; theoretical reason denies freedom. Fourth, divorce of morality from happiness. Rousseau says happiness belongs together with goodness as distinguished from virtue. Happiness and virtue do not belong together. Incidentally, there is of course an older source, in a way a famous source, for such a suggestion, but that is a very complicated thing, and that is Plato's *Republic*. Do you remember the guardians⁵? Happiness is of no consideration, justice is; and therefore no consideration for their happiness; the happiness of the whole and not of the parts, which means also a separation of justice from happiness, as far as individuals are concerned. But that I mention only in passing.⁶ [Fifth], it is necessary to show the working of God's wisdom and goodness in the history of man, or to vindicate God's providence by a proper understanding of history. The process from natural man to civilized man is a necessary process. Sixth, the point where Kant deviates from Rousseau right at the beginning: Rousseau proceeds synthetically, from natural man to civilized man. Kant proceeds analytically, he begins with civilized man. From this it seems to follow that whereas Rousseau needs history in order to follow this process from natural man to civilized man, Kant, who begins with civilized man, with a phenomenon immediately accessible,⁷ does not need history at all. Yet, since Kant begins not with man but with civilized man, and civilized man is supposed to be a product of a process, the process of civilization, the historical element is implied in this statement of Kant's that we begin with civilized man. So if we put all these things together with a view to the understanding of Kant's whole philosophy, the supremacy of morality requires the vindication of freedom, moral freedom. Yet, this vindication of freedom must be compatible with the recognition of necessity in its sphere. How could there be such a necessarily progressive process⁸ if there were not necessity? This much about Rousseau.

Now what did Kant learn from Hume? Necessity. That means the unqualified validity of the principle of causality. Hume proves, according to Kant, that the principle of causality is not simply rational. It is not self-evident, its denial is not absurd, and⁹ it cannot be demonstrated like a mathematical theorem. On the other hand, the principle of causality is not a generalization from experience proper. To understand the principle of causality, there is needed a radical revision of the traditional concept of reason. This radical revision will imply the truth of the supremacy of practical reason over theoretical reason. A new understanding of reason which necessarily

implies the supremacy of practical reason: that is the most general formula we can give of Kant's attempt at this stage.

Now the highest use of reason was thought to be metaphysics, metaphysics here understood primarily as the doctrine of God,¹⁰ the immortality of the soul, and freedom.¹¹ The simplest formulation for our purposes would be to take the old medieval definition in Thomas Aquinas: metaphysics is the doctrine of incorporeal beings, God, separate intelligences, and the soul. The radical revision of the traditional understanding of reason means a radical revision of metaphysics—a radical critique of reason. Now metaphysics is here understood by Kant as knowledge of suprasensible things: God, the soul, and so on. As knowledge of suprasensible things it must be knowledge not based on sense experience. It must be knowledge by *pure* reason, reason not supported by sense experience. Therefore the critique of reason must be a critique of *pure* reason.

Now let us turn to the *Critique of Pure Reason* and consider certain passages. The first impression we get after we have looked at the title (we do not look now at the table of contents, although that is always extremely helpful for a first orientation; [it is] more interesting, certainly more informative than the index), we see the motto and that is already highly revealing. I don't want to go into the motto right now, but from where is the motto taken? From which writer is the motto taken?¹² It is from Bacon, from Bacon's *Instauratio Magna*, and that is very interesting, that when this radically revolutionary philosophy appeared, the first (how shall I say?) hero invoked at the beginning for the auspicious issue of the enterprise is Francis Bacon. We shall see later on whether this was not an accident.

Now in the prefaces¹³ we shall read only one passage in the first preface, but we shall read more in the second preface. The external justification of Kant's enterprise, the *Critique of Pure Reason*, is this. Metaphysics has lost now (say, 1780) its former prestige. Once she was regarded as the queen of the sciences and now she is in the state of Hecuba after the conquest of Troy.ⁱ What prevails is indifference to metaphysics. Is this indifference to what was thought to be the queen of the sciences not a manifest sign of intellectual decay? This is the question Kant asks. And the answer is¹⁴ in the fifth paragraph:¹⁵

But it is idle to feign indifference to such enquiries, the object of which can never be indifferent to our human nature.ⁱⁱ

LS:¹⁶ Some of you may think of the remarks of certain contemporary thinkers that metaphysical questions are meaningless. Kant says they can never be indifferent to the nature, to human nature, by which he does not mean they cannot be indifferent to human beings. There are all kinds of human beings. I mean, think of heartbreaks and so on and so on, or completely lost specialists. [Laughter] But to man, to human nature, they can never be indifferent. Yes?

Indeed these pretended indifferentists, however they may try to disguise themselves by substituting a popular tone for the language of the schools,

ⁱ In Homer's *Iliad*, Hecuba is the mother of Hector of Troy.

ⁱⁱ Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: Macmillan & Co., Ltd., 1929), 8 [A x]. Hereafter referred to as "Smith."

inevitably fall back, in so far as they think at all, into those very metaphysical assertions which they profess so greatly to despise.ⁱⁱⁱ

That is also a very topical remark. I have found out in the last few days that there is now, since the past thirteen or fourteen years, without my knowing it, an attempt under way to eradicate metaphysics as completely as it has never been eradicated before by so-called philosophical analysis. And the interesting thing is that the controversies among these people always turn around that their writings always detect some residue of metaphysics in the eyes of the other [laughter] and of course the simon-pure, non-metaphysical positivists have apparently not yet appeared. That is what Kant here has in mind, although he does not think of this particular thing. He¹⁷ [is thinking]¹⁸ of a more innocent form of anti-metaphysical problems in the eighteenth century. Go on.

Reader:

None the less this indifference, showing itself in the midst of flourishing sciences, and affecting precisely those sciences, the knowledge of which, if attainable, we should least of all care to dispense with, is a phenomenon that calls for attention and reflection. It is obviously the effect not of levity but of the matured judgment of the age—^{iv}

LS: ¹⁹That is Kant's answer. The contempt for metaphysics cannot be traced to the intellectual decay of the eighteenth century, the seventeenth century. That is not a decayed age. Think of mathematics, think of physics, and so on. That is a sign of a maturity of judgment. Now we turn to the footnote.

Reader:

We often hear complaints of shallowness of thought in our age and of the consequent decline of sound science.

LS: “of sound” is too weak—“*gründlicher*”,²⁰ “solid.”

Reader:

But I do not see that the sciences which rest upon a secure foundation, such as mathematics, physics, etc., in the least deserve this reproach. On the contrary, they merit their old reputation for solidity, and in the case of physics, even surpass it.

LS: “Surpass it?” Namely “surpass” the meaning . . .

Student: Surpass the old reputation.

LS: No²¹, I think the present physics of 1780 deserves the higher reputation for solidness than that, say, of 1650. Yes?

ⁱⁱⁱ Smith, 8.

^{iv} Smith, 8-9; [A x-xi]

Reader:

The same spirit would have become active in other kinds of knowledge, if only attention had first been directed to the determination of their principles.

LS: Not “determination,” but to the “correction” of their principles.^v

Reader:

Till this is done, indifference, doubt, and in the final issue, severe criticism, are themselves proofs of a profound habit of thought.

LS: Of the “solid,” that goes through. Our age is not an age of decay like the late Roman Empire, for example, but it is an age of solidness.

Reader:

Our age is, in especial degree, an age of criticism, and to criticism everything must submit. Religion through its sanctity, and law-giving, through its majesty, may seek to exempt themselves from it. But they then awaken just suspicion, and cannot claim the sincere respect which reason accords only to that which has been able to sustain the test of free and open examination.^{vi}

LS: So²² in other words, Kant first rejects the notion that the eighteenth century is an age of intellectual decay. On the contrary, it is an age of perhaps the greatest maturity of judgment which has ever existed, and part of the proof is the high status of mathematics and physics. But more than that, the eighteenth century is the age of criticism par excellence, and that does not mean here literary criticism (although the concern with the principles of literary criticism was probably more pronounced than in any other age, but literary criticism is of the least importance). It is the criticism of religion, and government, and education for which the eighteenth century is so famous. The eighteenth century²³ was characterized by the most radical effort to subject everything to rational criticism in public discussion. When Hegel said later of the French Revolution it was meant to stand on his head, that was not merely critical. It meant also that this was the first attempt which men made to establish a rational society on rational principles, starting from scratch, even. And Kant certainly—while he disapproved of course of the bloody excesses of the French Revolution, he sympathized with the principles of the French Revolution.²⁴ We must not forget that this was published eight years prior to the outbreak of the French Revolution. So our age is the age of reason; at least everything must now be submitted to the judgment of reason. That was in a way “quote generally accepted unquote”—you only have to read D’Alembert, Diderot, Voltaire, to see that this was of course the spirit of the age.^{vii} But Kant goes one step further, a *decisive* step further. He criticizes the criticizer, he judges the

^v Strauss corrects the translation of “die Berichtigung.”

^{vi} Smith, 9n; [A xi.n]

^{vii} Jean le Rond d’Alembert (b. 1717) and Denis Diderot (b. 1713) were the co-editors of the *Encyclopédie*, considered one of the most important contributions to the Enlightenment age, and which collected and cross-referenced a wide breadth of knowledge. François-Marie Arouet, better known as Voltaire (b. 1694) was an essayist widely known for his wit and aversion to traditional religious institutions. All three were major figures of the Enlightenment prior to the Revolution and well known both in France and abroad.

judge: reason. Therefore the title is most proper, *Critique*, which up to now has been an application of reason, the application of reason to every possible standard, however sacred. Now this judge, the highest judge (as Locke called it, “man’s only star and compass”) must now be criticized itself, because it proved to be in need of such criticism. The judge was not always a wise judge, and that has something to do with the problem of religion, as we shall see later where Kant thought that there was a certain criticism of religion which was unwise, unreasonable. Unreasonable. To mention only the extreme example, atheism. An atheistic criticism, which of course existed, is from Kant’s point of view the criticism of reason which goes beyond its boundaries. A criticism of revealed religion on the basis of natural theology would, from Kant’s point of view, be a different story.²⁵ An atheistic criticism on the basis of reason is thrown out. That is for Kant not a prejudice or so, but he has very definite reasons, as we shall see. Reason itself must appear before the tribunal of reason—a strange situation. It becomes less strange when you read the sequel in the text where we left off.

Reader:

It is—this indifference—²⁶obviously the effect not of levity but of the mature power of judgment of the age. Of an age which^{viii} refuses to be any longer put off with illusory knowledge. It is a call reason to undertake anew the most difficult of all its tasks, namely that of self-knowledge, and to institute a tribunal which will assure to reason its lawful claims, and dismiss all groundless pretentions, not by decree, but in accordance with its own eternal and unalterable laws and this tribunal is no longer within the *critique of pure reason*.^{ix}

LS: So in other words, that paradox, that reason should . . . sit in judgment on reason, is no greater than the paradox of self-knowledge. Reason should know itself. And Kant—that is the most difficult of all enterprises, but an enterprise which has already been tried in a way before, because he says it must undertake the business of self-knowledge again, *aus neue*. So self-knowledge existed to some extent, but now in a radically different way. Now let us read the sequel, where Kant defines what he understands by the critique of pure reason.

Reader:

I do not mean by this a critique of books and systems, but of the faculty of reason in general, in respect with all knowledge after which it may strive *independently of all experience*. It will therefore decide as to the possibility or impossibility of metaphysics in general, and determine its sources, its extents and its limits—all in accordance with principles.^x

LS: How did he translate that? The last words: “All in accordance with principles?” Yes, but “everything *from* principles” would be a more correct translation.^{xi} From principles, *aus principien*. So for us that is the most important passage in the first preface of 1781.

^{viii} *Critique of Pure Reason* [A xi-xii]. Strauss’s translation.

^{ix} Smith, 9, italics in Smith; [A xi –xii]

^x Smith, 9, italics in Smith; [A xii]

^{xi} “alles aber aus Principien.”

Kant wrote a new preface for the second edition, 1787, which is much richer and much more important, and this preface of course is based on an experience, an experience he made when the book was published and was grossly misunderstood, even laughed at in all kinds of ways, and Kant therefore felt it necessary now to state right at the beginning in more concrete terms, more precise terms, what the book was about.

So now we begin at a certain point which is²⁷ the eighth paragraph, but I must first prepare that. Just one or two words about what was said before. He begins with a question as to whether metaphysics has reached the stage of science and let it be clearly understood that metaphysics means here primarily the doctrine of God and of the soul. Ontology, which was traditionally regarded as the most fundamental part of metaphysics, is not of such interest to Kant for reasons which we may see later. He is concerned with those questions which are of immediate concern to every human being. The ontological question proper, the question of being *qua* being, is not of interest to man's spirit. It is only a philosophic question and can only be very indirectly, in its consequences,²⁸ of genuine importance. But the questions of God and the immortality of the soul affect every human being, and they are really the urgent and burning questions. So he begins then with the question as to whether metaphysics has reached the stage of science. We know this already from the heading and the introduction of the *Prolegomena*, which we discussed last time. This question, as to whether metaphysics has reached the stage of a science, becomes acute by virtue of the contrast of metaphysics with other purely rational sciences: logic, mathematics, and a part of physics. Logic and mathematics were sciences already in antiquity: logic, Aristotle; and mathematics²⁹, Euclid is sufficient as a proof of that. But the case of physics is different. Physics has become a science only a short while ago. Here we understand the motto from Bacon. Physics became a science by virtue of a revolt in which Bacon plays a significant part. Perhaps Kant suggests we can learn something from physics as to what kind of radical change is required for raising metaphysics to the rank of science, and that means the same, on the basis of what I have shown before, as that we can learn something from physics as to the character of that revision of the notion of reason which is required.

³⁰Before we begin to read I would like that you look at the second note a few pages later. There he speaks of the method which he uses and says, at the beginning of that note, "This method³¹ which imitates that of the natural scientist." That of course does not mean that Kant makes a tremendous issue of such things but it is something more fundamental.³² The experience of modern physics is crucial for the possibility of the revision of reason which Kant undertakes. That does not mean, as Kant is typically taken to mean, that Kant's *Critique of Pure Reason* is a philosophy of science. It includes the philosophy of science, but³³ the main function of the *Critique of Pure Reason* is the preparation of a new and defensible metaphysics. And Kant cannot do that without elaborating on the way the philosophy of science. The philosophy of science as a theory of experience, as it was called, is only a part, is only a means to that end. Now let us turn to this passage where he speaks of the revolution in physics.

Reader:

When Galileo caused balls, the weights of which he had himself previously determined, to roll down an inclined plane, and when Torricelli made the air carry a weight which he had calculated beforehand to be equal to that of a definite volume of water; or in more recent times, when Stahl changed metals into oxides,

and oxides back into metal, by withdrawing something and then restoring it, a light broke upon all students of nature. They learned that reason has insight only into that which it produces after a plan of its own—

LS: “after a project of its own”^{xii} would be a more literal translation. This is absolutely crucial to Kant; a new light,³⁴ that reason understands *only* what reason produces according to *its* project.

Reader:

and that it must not allow itself to be kept, as it were, in nature’s leading-strings, but must itself show the way with principles of judgment based upon fixed laws, constraining nature to give answer to questions of reason’s own determining. Accidental observations, made in obedience to no previously thought-out plan, can never be made to yield a necessary law, which alone reason is concerned to discover. Reason, holding in one hand its principles, according to which alone concordant appearances can be admitted as equivalent laws, and in the other hands the experiment which has devised in conformity with these principles, must approach nature in order to be taught by it. It must not, however, do so in the character of a pupil who listens to everything that a teacher chooses to say, but like an appointed judge who compels the witnesses to answer questions which he has himself formulated.^{xiii}

LS: “Who compels the witnesses.” That reminds us of Hegel’s expression of thinking: “torturing nature.” Torturing is a very cruel, even abominable, way of getting the truth. At least that is my opinion. [Laughter] But still, in the case³⁵—in the olden times, and I think right now, where someone was extremely recalcitrant, where there was no question that he had murdered someone but he refused to confess, then you had to break this bad will by torture. Now let us assume that nature is in some respects comparable to such recalcitrant wicked fellows. We may torture him. At least Bacon has no objection to torturing as far as I remember. Did he have any objection to torture?

Student: Not that I know of.

LS: No. I think he was even present in one crucial case which was not very nice of him . . . [laughter]. At any rate, Kant does not does not say of course torture,³⁶ but what I am driving at is only this: the fundamental thought that science means torturing nature and not looking at it is accepted by Kant³⁷ in the very beginning. This only to show that the motto from Bacon is very far from being accidental. Yes?

Reader:

Even physics, therefore, owes the beneficent revolution in its point of view entirely to the happy thought, that while reason must seek in nature, not fictitiously ascribe to it, whatever as not being knowable to reason’s own

^{xii} “was sie selbst nach ihrem Entwurfe hervorbringt”

^{xiii} Smith, 20; [B xii-xiiii]

resources has to be learnt, if learnt at all, only from nature, it must adopt as its guide.^{xiv}

LS: Yes, does this bring out clearly that physics owes its revolution³⁸ exclusively to the happy thought that nature must proceed according to what nature itself puts into nature? Does this come out clearly?

Student: No, I don't think so. You mean what reason itself puts into nature?

LS: Yes, reason. I'm sorry. What reason itself puts in nature.³⁹ Reason learns something from nature, but in accordance with what nature itself puts into nature. Is that here?

Student: No, what reason puts into nature.

Student: That is in the next sentence.

LS: I see the problem, yes. Now this is the first remark which we have to consider. This implies already the new notion of reason. Reason understands only what it produces according to reason's own project. One can put this in a way more familiar to us, in a way in which it was stated very emphatically by Collingwood: the fundamental facts in science are the questions.^{xv40} We get the answers by⁴¹ experiment or by any other observations, but the value of the answers depends entirely on the reasonableness of the questions;⁴² and the questions here addressed to nature—in their fundamental structure, not in their details—are the projects of pure reason. A simple example: If I try to investigate into a certain causal connection—say, this example of Kant's, the relation of oxygen and⁴³ of burning—there is something here presupposed which has nothing to do with this or that particular phenomenon, and that is the principle of causality, that there are necessarily causes and the causes are necessary causes.⁴⁴ This principle of causality⁴⁵ is the general project of pure reason, which must be specified⁴⁶ on the basis of empirical observation in order to become the specific question that we address to this phenomenon.⁴⁷ The general character of the question does not stem in any way from observation.

And so Kant rejects the principle of empiricism, that⁴⁸ [all] knowledge can be reduced to observation or to inferences from observation. On the other hand, he also opposes the classical view, the Platonic and Aristotelian view, that there is an intellectual perception of, say, of ideas, which is the most general formulation. Reason is projecting. Reason is not grasping.⁴⁹ One could say, on the contrary, that for Kant projecting reason is the very grasping. [LS laughs] But how should I say it? Prehending? Reason is not prehending but projecting. That is according to Kant *the* notion of reason underlying modern physics, even mathematics.⁵⁰ The influence of mathematics was not so fundamental as that of physics, because as distinguished from the mere fact that mathematics coexisted for centuries with the old notion of reason, it was the work of Galileo and his successors⁵¹ by which physicists understood something for the first time. This cooperation of reason and experiment, with reason in the leading role—reason in the leading

^{xiv} Smith, 20; [B xiii-xiv]

^{xv} See R. G. Collingwood, *An Autobiography* (Oxford: Oxford University Press, 1939), especially chapter 5, "Question and Answer."

role—is dependent for the answers on the observations⁵². Now let us skip the next two paragraphs.

Reader:

The examples of mathematics and natural science, which by a single and sudden revolution have become what they now are—^{xvi}

LS: By the way, did you notice the word “revolution?” We had it before. That is quite interesting. I never thought of it . . . That was written two years prior to the French Revolution. This is not unimportant. There was something in the air.

Reader:

seem to me sufficiently remarkable to suggest our considering that they may have been the essential features in the changed point of view—

LS: “point of view” is too weak a translation.⁵³ *Denkart*, the “manner of thinking.”⁵⁴

Reader:

by which they have so greatly benefited. Their success should incline us, at least by way of experiment, to imitate their procedure, so far as the analogy which, as species of rational knowledge they bear to metaphysics may permit.

LS: Yes. Experiment, on the other hand, could be the meaning in the context, the general pursuit. It may mean experiment but need not mean it. How shall I say it? A trial, an essay.

Student: “an attempt?”

LS: Well, when we speak of trial and error, “let us try it.” Not experiment. Now we come to the crucial passage.

Reader:

Hitherto it has been assumed that all our knowledge must conform to objects. But all attempts to extend our knowledge of objects by establishing something in regard to them *a priori*, by means of concepts, have, on this assumption, ended in failure. We must therefore make trial whether we may not have more success in the paths of metaphysics, if we suppose that objects must conform to our knowledge. This would agree better with what is desired, namely, that it should be possible to have knowledge of objects *a priori*, determining something in regard to them prior to their being given. We should then be proceeding precisely on the lines of Copernicus’ primary hypothesis.

LS: “The first thoughts [of Copernicus].”^{xvii}

Reader:

^{xvi} bxvi

^{xvii} “mit den ersten Gedanken des Copernicus.”

Failing of satisfactory progress in explaining the movements of the heavenly bodies on the supposition that they all revolved around the spectator, he tried whether he might not have better success if he made the spectator to revolve and the stars to remain at rest.^{xviii}

LS: Now let us stop there. That is the famous remark⁵⁵ which is then usually referred to as the Copernican Revolution effected by Kant. Now in what does it consist? Kant's thoughts show the traditional notion according to which truth is the agreement of what I think, let me say, with the subject matter. For example, I think the subject matter shall be a cat, and I think about the cat that it is green. And that is false, because there is no agreement between my thought and the subject matter, the thing, let me say the cat. Now I learn, perhaps by some adjustment of my eyes I see that the cat is black, and then I think the cat is black and in fact it is black. So we have here an agreement between my thought about the cat and the being of the cat. That is the doctrine, stated in the simplest possible form, according to which truth is the adequation of the intellect to the thing.⁵⁶ If that is truth, then metaphysics would be the adequation of the pure intellect, the intellect not supported by sense experience, to suprasensory things. Now what does the Copernican change mean? Why must⁵⁷ this concept of truth in the first place, the traditional concept of truth, be questioned according to Kant?

⁵⁸Let us first try to understand Kant's . . . Truth consists fundamentally in the adequation of things to the intellect. That cannot be so simply true, because that would mean, for example, [that] if I imagine the cat to be green the cat must become green, then I will paint it over for the fact to become true. It obviously must mean something more fundamental. The projecting activity of reason, of which we have heard before, which is shown by the actions of the physicists,⁵⁹ constitutes⁶⁰ any possible object of experience. Now this however implies that in order to get at an actual object of experience I need impressions—as Hume would call it, sense-data—as the subject. So in other words, what is the precise meaning of the comparison to Copernicus? Kant says it is very clear. The traditional view regards the spectator as resting, as inactive. Copernicus regards the spectator as moving, of course with the earth, as moving and active. The traditional view regarded reason as perceptive, or prehensive. Kant is going to understand reason as acting, as projecting, as constitutive, and Kant's contention is that only under these conditions is it possible to understand mathematics and physics in particular—

[change of tape]

Student: —does he hold this is actually the case?

LS: Yes. That is the assertion. In a way, any difficulty, even of the green cat, arises.

Student: . . . I don't understand . . . that the notion, crudely taken, would be absurd, that it would mean we would have to paint the cat green . . .

LS: All right, I'll repeat that. The cat: an actual object of experience. Kant does not say that the actual object of experience⁶¹ depends on our projects, for then you wouldn't need experiments. The *possible* object of experience—that there are such things, a cat; a cat is a thing of some

^{xviii} Smith, 21-22; [B xvi-xvii]

sort.⁶² These fellows, you know these—I do not know how you call them—they explain this in a manner similar to Hume, in a sort of way.⁶³ They say we do not see a cat, you know, we see patches, colored patches, and that we call it “a thing” as opposed to mere color patches is a “logical construct.”^{64xix} That is what they say. I have read it many times. I could quote you several authors. That is in a way a corrupted version of what Kant says, that we are capable⁶⁵ [of perceiving] things as things, possible objects of experience, can never be due to sense perception, which is admitted by these people. And one can have a very simple proof of that. There are other beings in the world that have sense perception. Dogs, for example. We have no reason to assume that dogs perceive things as things. We don’t know that. We have no way of really knowing, yes? One could even show that they could not, because there is a certain connection between things and classes understood as classes—dogs, not cats, [for example]—which presuppose words, verbal symbols, and therefore that is a problem. At any rate, what Kant means is that such a thing, a thing causing another thing to behave in that way and being itself caused or produced by preceding things or states of things—this whole framework of any possible experience, that is *the* project of reason. This project is, you can say, a frame of reference, but not in the arbitrary sense . . . It is a natural frame of reference, yes, which we have by virtue of being rational beings. It is a natural frame of reference without which no perception would be possible, perception in the sense of the understanding of something as something⁶⁶, because even red, simply red, goes much beyond any dog or monkey. Red is a universal . . . is a universal. But I do not want to go into these complexities. The actual object of experience can only be known by the cooperation of the projecting action of the reason and the receptive action, if we can say so, of the senses. So a green cat as green cat can only be empirically known, but that we are capable to think such things as cat, tree, chairs, that cannot be traced to sense perception and is due to this projecting reason.

The crucial case from the point of view [of] the state of the question in Kant’s time would of course be the principle of causality, where Hume had to leave it at saying that [the fact] that we think in causal terms is due to an ineradicable habit going on in us by virtue of associations and what not, and which does not have any rationality in itself—you just cannot help doing that. Kant tries to show that this is not a mere brute and unintelligible habit, but that it is really rationally necessary if there is to be any ordered world as understood world.⁶⁷ If there are mere sense data⁶⁸ that is the only thing clearly given (that was already said long before Kant) giving our senses colors, sounds, and so on and so on. But this is not a world, it is not an ordered whole. Where does the order come from? Either the things are ordered in themselves—that was the Platonic-Aristotelian view—[and] then man must have a faculty which allows him to perceive order, and that they meant by reason. Reason they understood as a perceiving, a prehension. But if that does not exist for some reason—let us rule out certain reasons which we may be able partly to find out—but if this is ruled out, there is no other possibility but to say that the ordering is the work of the human mind, of reason. All these things in modified and crudified versions⁶⁹ are enormously powerful today. For example, the whole notion of the frame of reference as it is typically used in the social sciences presupposes of course that there is something which precedes all observations. Only the present-day view, of course, is that the frame of reference is itself the result of previous experiences and things of this sort, and so on and so on. Mr. Brod?

^{xix} Presumably one of the authors Strauss is referring to here is Bertrand Russell.

Mr. Brod: . . . Did Kant deny—I don't see how he could—that if we never saw a cat we would not have an idea of what cat is?

LS:⁷⁰ He would not deny that. But the question is not—he says in the beginning of the introduction that all our knowledge begins with experience. There is no doubt whatsoever about that. But although all our knowledge begins from experience, from this it does not follow at all that all our knowledge arises out of experience, for it might very well be that even our experiential knowledge is a composite of that which we receive by impressions and that which our own faculty of knowing, only stimulated by sense-impressions, adds from its own.

Student: Isn't the classical view very similar to this: first sense impressions, then ideal forms?

LS: Yes, sure, but the only question is this. For all rationalists absolutely, as distinguished from all so-called empiricists or sense-data—Kant agrees with Plato and Aristotle [that] there must be an independent faculty of reason, which faculty is the higher one, to which alone understanding as distinguished from mere sensing is possible. There is full agreement. But the question is, is reason—we do not make any distinction now between reason and understanding now—is reason prehending, grasping something, to which reason adjusts itself, adequates itself, or is reason the origin of this order, human reason?

Student: How could Kant deny the arbitrary character of arbitrary classifications?

LS: That is not the point. Reason is not arbitrary. Being reason, it is ruled by intrinsic laws. The mere fact that there is such a thing as the principle of contradiction proved to Kant that there are laws of reason of wholly non-arbitrary character but, according to Kant, there are more such fundamental laws governing the use of reason.⁷¹ It is absolutely necessary to interpret patches and sounds and what have you as things. This necessity is not due to the fact that otherwise we would perish, which we of course would (you know, the organism), but it has a more fundamental reason. It is evidently necessary to interpret these sense data as qualities of things. The argument of Kant, the whole *Critique of Pure Reason*, is an attempt to show that, and especially to show it against Hume . . .⁷² Hume had said we sensibly perceive—say, now this, now that, now this—heterogeneous impressions, the causes of these things are in no way perceived and therefore has no basis in experience and, as he also shows, it has no basis in reason. Kant tries to show that the very possibility of establishing the temporary product to the temporary perceiver presupposes the use of causality. What we have as mere impressions A, B, C, is the merely subjective line but the objective order. For example (what is an example? I don't . . . I remember only that Kant has somehow this), you find a heavy object on a cushion.⁷³ Why is the cushion, how do you say, impressed? That presupposes—⁷⁴what is the cause of this impression? Here you have simultaneous impressions. The simultaneous impressions cannot be understood properly without recourse to causality.⁷⁵ The distinction between the subjective order of impressions and the objective order of event, without which no intelligent orientation is possible, presupposes causality as a means for establishing the objective temporary order. The details we cannot possibly go into. We would have to devote two quarters at least to the discussion of the central problems of the *Critique of Pure Reason*.

Student: Does Kant then mean that what you might call the proper objects of reason, pure reason,⁷⁶ are products that the reason itself imposed on the data received by the sense?

LS: You can put it this way. The possible object of experience—the possible object, the possible object—is constituted by reason. The possible object is of course understood not as a simple object; it is understood as one object among many simultaneous perceivings and data. This whole Kant calls nature. Nature is, we can say, the totality of all possible objects or, if you want to say, of all possible events. This nature is a whole which is presupposed in any particular observation regarding any particular thing [and] is constituted by reason. For this reason Kant says nature^{xx} prescribes nature its laws.⁷⁷ The most fundamental laws of nature are the positings, but the necessary and evidently necessary positings, of reason.

Student: Why did Kant think that this framework of all possible experience was the same in all men?

LS: Because they are all human beings. Because there is a human nature. It is human nature.

Same Student: So that argument rests on psychology?

LS: Yes, that is a very complicated question. I think⁷⁸ Kant took for granted that there is a human nature.⁷⁹ But how does Kant really proceed?⁸⁰ I take one way in which Kant has been particularly interpreted, which is not baseless [but] which may not be sufficient, and that is this: That Kant starts from⁸¹ the fact of genuine science, mathematics, and physics, and raises the question: How they are possible? And [he] ascends to the condition of the possibility of any objective knowledge. But one can enlarge that⁸² because Kant certainly is not concerned merely with science.⁸³ From Kant's point of view scientific understanding is only a more radically carried-through form of our ordinary understanding. If a scientist discovers the cause of a certain event he does nothing fundamentally different from what we do if we find out who killed whom. Not radically different because here too, as you know, the detective cannot simply look for observations; he must have a hypothesis guided by such general notions as motive and opportunity. You have read enough stories to know that as well as I do, and so here also it is the same.

Now Kant ascends from the fact of experience in its prescientific as well as its scientific sense to the conditions of possibility of that experience. But on the other hand, it is undeniable that Kant begins the whole argument from the unquestioned premise that man is a rational animal. The changes, the great changes which took place after Kant, especially in the latter half of the nineteenth century, were based on this: that people admitted (I mean outside of simply positivist circles) that there must be a framework of understanding if there is to be any human life, but they said that these frameworks of understanding differed from society to society. In other words, the categories, the system of categories, if we can use this term, is not as Kant said one and the same for all men, but there is a variety of such.⁸⁴ Sociology of knowledge is such a form of that. So these Kantian things in modified forms affect much of present day thought, but of course not in the strict sense in which Kant meant them.

^{xx} Strauss may have meant to say “reason” here.

Student: As to the classical view that there is an order in the external world, would Kant have to deny that or could he really admit this as a possibility, and say, whether there is or not this . . .

LS: Now Kant would say—well, of course he would in a way naturally admit it, but he would say this. The necessity of such an order can never be understood from experience, because all experience is open to this objection: Maybe up to now, but with what right can I expect its conservation? There cannot be necessity and universal validity derived from experience.⁸⁵ That⁸⁶ it should be possible to grasp necessities, objective necessities—⁸⁷(to use this word for the last time in this course, except⁸⁸ only in senses in which Kant himself legitimates)—⁸⁹that Kant denies. There is no possibility. The only form of prehension which man has is sense prehension. There is no intellectual prehension. That is axiomatic for Kant.

Student: He is not led to a denial, an outright denial, of order in the external world?

LS: No, no.⁹⁰ That is a very great problem for Kant, and in a way the *Critique of Judgment* has been written to clarify that. I give you the practical consequence, where it really comes out. Kant admits it as a matter of course, that a science of living beings must be teleological, that you cannot understand animal without speaking of function; a very simple thing, and to use this as a significant term, and not in a sterilized way, means teleological understanding. The stomach has a function *for* something⁹¹, and so on and so on. But Kant says we cannot *assert*, we do not *know*, that the living beings are teleological. We must use teleology as a heuristic principle—we cannot begin to study the stomach without knowing what the stomach is for, or without raising this question—⁹²but we have no knowledge of teleology. But whereas as far as the mechanical laws are concerned, that is knowledge. I cannot say more now because it would become infinite and we must try to proceed in an orderly fashion.

Student: In what is the necessary nature of human beings self-rooted for Kant, assuming that it isn't self-positing?

LS: I can give you only one answer, which⁹³ is bound to be absolutely cryptic. In the *ego cogito*. In the "I think." We may take this up at a later stage.

Student: What did you mean when you said that the classics took the capacity—

LS: Receptive. Aristotle uses this term. It is in Plato sometimes too. It is a kind of being affected, *pathē*, being affected. It is a very simple point. If you would sit down and read slowly⁹⁴ the third book of Aristotle's *On the Soul*, then you would get the most coherent statement which we have . . . but it would be very difficult to understand.⁹⁵ But take the simple things as they are presented in so many Platonic dialogues, and that is fundamentally correct. We view, we grasp, we see with our mind's eye, essential necessities. Did you never hear this? This is even in positivistic debates. To study facts and to have all kinds of theories and what not, and then the question is raised: What's the pattern?⁹⁶ If you do not see a pattern, it ceases to be an interesting study, but sometimes you see a pattern. "See a pattern," that is a Platonic expression. You see, you do not impose it, you see a pattern.⁹⁷ Have you ever had this experience, that out of a mere

agglomeration of all kinds of data suddenly some order comes to sight, an order which is in there but which you have not previously seen? Let us leave it at this simple and homemade, homely example, that every social scientist speaks of becoming aware of a pattern. That is a recollection of what Plato and Aristotle meant.

Same Student: Yes, but wasn't it for Kant also that he saw a certain order which exists because if he would create it . . .

LS: Not he, but reason incarnate, reason in you.

Same Student: Yes, but I remember reading about the moral law, that he was stressing that the moral law is binding on all reasonable beings, and not only on men...

LS: Oh, no, that is simple.⁹⁸ Practical reason has an entirely different status. In practical reason, moral law,⁹⁹ reason is fully determinate without the help of sense-perception and therefore the specifically human does not come in; whereas in theoretical reason, reason is determining only with the help of sense-perception, i.e., a human peculiarity, and therefore the human comes in here. But we must now return. You raise all kinds of very necessary questions but we must stick to a certain surface of the argument, otherwise we will not make any progress. Now let us read the sequel, where we left off after the Copernican Revolution.

Reader:

A similar experiment can be tried in metaphysics, as regards the *intuition* of objects. If intuition must conform to the constitution of the object, I do not see how we could know anything of the latter *a priori*—

LS: In other words, Kant denies implicitly that there can be a prehension of evident necessity. That is the crucial implication of this statement.

Reader:

but if the object (as object of the senses) must conform to the constitution of our faculty of intuition, I have no difficulty in conceiving such a possibility. Since I cannot rest in these intuitions if they are to become known, but must relate them as representations to something as their object, and determine this latter through them, either I must assume that the *concepts*, by means of which I obtain this determination, conform to the object, or else I assume that the objects, or what is the same thing, that the *experience* in which alone, as given objects, they can be known, conform to the concepts. In the former case, I am again in the same perplexity as to how I can know anything *a priori* in regard to the objects. In the latter case the outlook is more hopeful. For experience is itself a species of knowledge which involves understanding; and understanding has rules which I must presuppose as being in me prior to objects being given to me, and therefore as being *a priori*. They find expression in *a priori* concepts to which all objects of experience necessarily conform, and with which they must agree. As regards objects which are thought solely through reason, and indeed as necessary, but which can never—

LS: No, but “which are solely through reason and indeed are necessarily thought¹⁰⁰.”^{xxi} It is not arbitrary that we think it.

Reader:

at least not in the manner in which reason thinks them—be given in experience, the attempts at thinking them (for they must admit of being thought) will furnish an excellent touchstone of which we are adopting as our new method of thought, namely, that we can know *a priori* of things only what we ourselves put into them.^{xxii}

Yes, what is the main point he is trying to make? From the previous, not analysis but report or account of what he has done, it follows that reason is unable to know anything of non-sensible things. Reason can only sketch the outlines, the essential outlines, of possible objects of experience, and¹⁰¹ possible objects of experience means possible objects of sensible experience. Reason has no possibility of knowing, in any way, suprasensible objects, i.e., metaphysics in the traditional sense is impossible. Metaphysics as the knowledge of spiritual substances is impossible. But Kant makes here an important distinction between knowing and thinking. I can know, strictly speaking, only sensible things,¹⁰² because the mere possible object is not yet knowledge; that is only the framework of knowledge. But I can think and I must think suprasensible things, say God and the soul. But I cannot *know* them because¹⁰³ in order to know them I would need sense experience of them, or sense experience necessarily leading up to them; and¹⁰⁴ sense experience is utterly unable to do so, as Kant claims to have shown in the second part of the *Critique of Pure Reason*, in the Dialectics.

Student: In that case reason thinks but it doesn't know?

LS: Yes.

Same Student: Well, you said that for Kant then . . . the activity of reason then consists in its projects in the sense in which you spoke of before . . . the scholastic notion of abstraction Kant denies altogether.

LS: No, he would not deny that. For example, that our concept of cat, when it is an empirical object, is abstracted from particular cats, Kant would admit. That is no problem. But that is only empirical. It lacks true necessity. And that has something to do with the problem of . . . constraints.

Student: How does Kant know that reason can know nothing of non-sensible things, or how does Kant know that there is no such thing as intellectual perception?

LS: I do not remember any explicit discussion of that. Later on, in the 1790s, a certain successor of Kant's began to speak of intellectual intuition, intellectual intuition, which then played a great role up to but not including Hegel. And Kant rejected that altogether.¹⁰⁵ That would lead us very

^{xxi} “so fern sie bloß durch Vernunft und zwar nothwendig gedacht.”

^{xxii} Smith, 22-23, italics and parentheses in Smith; [B xvii-xviii]

far¹⁰⁶. Kant distinguished thinking from knowing. Very crudely stated, we must think, say, an intelligent author of the world. This intelligent author of the world would not have any receptivity¹⁰⁷, as opposed to the existence of the things that are there, and he makes them reasonable, [he has] an originary intellect, as Kant calls it. Kant's premise can be stated as follows: intellectual intuition would be possible only for a creator proper. The Platonic/Aristotelian notion is no longer discussed and that has something to do with the prehistory of Kant in both Locke and Leibniz. That would lead us now too far.

Student: Which kind of intellect, thinking or knowing, is reflected in the argument of the *Critique* itself?

LS: Yes, that was the question Mr. Hoppe raised last time. Is the *Critique of Pure Reason* not knowledge? Now it is obviously not knowledge of a sensible kind, nor is it like mathematics. That is a very great question, and¹⁰⁸ we will later come across this. I only want to have the first argument now. Let us look towards the end of the next paragraph, where Kant draws the conclusion from his general sketch.

Reader:

But when all progress in the field of the supersensible has thus been denied to speculative reason, it is still open to us to enquire whether, in the practical knowledge of reason, data may not be found sufficient to determine reason's transcendent concept of the unconditioned, and so to enable us, in accordance with the wish of metaphysics, and by means of knowledge that is possible *a priori* though only from a practical point of view, to pass beyond the limits of all possible experience. Speculative reason—

LS: How did he say “not only”? [It should be] “but only”^{xxiii}.

Reader: “Though only from a practical point of view—”

LS: Yes, *in praktische Absicht*; “in a practical intent” would be a more literal translation.

Reader:

speculative reason has thus at least made room for such an extension; and if it must at the same time leave it empty, yet none the less we are at liberty, indeed we are summoned, to take occupation of it, if we can, by practical data of reason.^{xxiv}

LS: Well, now I will try to explain this in the most elementary but by no means sufficient way. This analysis of reason in its use in experience leads to the consequence that¹⁰⁹ only what we may call relative knowledge [is possible], knowledge of the conditions of some events or some types of events, which¹¹⁰ immediately will lead sooner or later to the question of the condition of

^{xxiii} “aber nur”

^{xxiv} Smith, 24-25; [B xxi-xxii]

those conditions, and that goes on *ad infinitum*.¹¹¹ We can never come beyond the stage of the knowledge¹¹² of the conditions. But the very notion, the very awareness of the relativity presupposes an awareness of the absolute. It is impossible to think the relative without measuring the fact by something absolute. Kant uses the term “the unconditioned.” So we must think the unconditioned: we must think it, but we can never know it. All of our knowledge is relative in the sense¹¹³ [that] it is knowledge of conditions within certain limits essentially pointing to further inquiries of these conditions *ad infinitum*. But this awareness presupposes an awareness of some unconditioned, or absolute. That is, we can only think, we cannot know. But there is one way, Kant says, in which we have some access to that unconditioned, and that is the moral consciousness.¹¹⁴ Speculative reason has no prospect whatever in the field of the supra-sensible, but perhaps¹¹⁵ it finds, in its practical knowledge, data which permit it to determine the transcendent, rational concept of the unconditioned.¹¹⁶

I cannot say more than this now. Man has an awareness of the unconditioned beyond the mere thinking of the unconditioned, in the moral law, and therefore¹¹⁷ the only possible metaphysics can be one based on the moral law. In very crude and provisional terms, Kant believes he can prove that we cannot consistently be decent people or act morally if we do not believe in God. That is the only way in which we can “know” of God. Kant does not call that knowledge, but belief. But he says that this belief is a rational belief, because its sole basis is a rational law of action, the moral law.¹¹⁸ This is the general way in which Kant . . . proceeds. Now we must read a few more passages, otherwise we will never make any headway.

Reader:

But, it will be asked, what sort of a treasure is this that we propose to bequeath to posterity? What is the value of the metaphysics that is alleged to be thus purified by criticism and established once and for all? On a cursory view of the present work it may seem that its results are merely *negative*, warning us that we must never venture with speculative reason beyond the limits of experience. Such is in fact its primary use. But such teaching at once acquires a *positive* value when we recognize that the principles with which speculative reason ventures out beyond its proper limits do not in effect *extend* the employment of reason, but, as we find on closer scrutiny, inevitably *narrows* it. These principles properly belong [not to reason but] to sensibility, and when thus employed they threaten to make the bounds of sensibility coextensive with the real, and so to supplant reason in its pure (practical) employment.

LS: What Kant has in mind is this.¹¹⁹ If we do not limit reason, theoretical reason, to its use in the field of sensible experience¹²⁰ as a limited field, then there is a danger that we absolutize these principles which we use and must use in understanding the world of experience. And that leads to the consequence, since absolute determinism is an essential implication of this experiential understanding, it leads to a conflict, for there remains no place for freedom. So by restricting the use of reason to a definite field, to the field of experiential knowledge in the strict sense of the word, we leave room, we gain room, for asserting freedom. That is the positive use. Yes?

Reader:

So far, therefore, as our Critique limits speculative reason, it is indeed *negative*; but since it thereby removes an obstacle which stands in the way of the employment of practical reason, nay threatens to destroy it, it has in reality a *positive* and very important use. At least this is so, immediately we are convinced that there is an absolutely necessary *practical* employment of pure reason—the *moral*—in which it inevitably goes beyond the limits of sensibility. Though [practical] reason, in thus proceeding, requires no assistance from speculative reason, it must yet be assured against its opposition, that reason may not be brought into conflict with itself. To deny that the service which the Critique renders is *positive* in character, would thus be^{xxv} like saying that the police are of no positive benefit—^{xxvi}

LS: And so on. You see, Kant here tries to defend himself against the very simple and obvious kind of criticism that *Critique of Pure*—that critique is a purely negative thing. But in this connection, he gives us a certain promise. The defense of morality is possible only by virtue of such a critique. You remember when I spoke of Rousseau last time, I¹²¹ [spoke] of the necessity admitted by Rousseau of a Socratic wisdom which defends the conscience? There is a conscience which . . . and in a way Kant admits it. But this conscience is threatened by false theories. There is therefore a need for a defense of the conscience, and that is Socratic wisdom in Rousseau's sense of the term. This Socratic wisdom is, in a way, the most important function of Kant's critique. Theoretical metaphysics might seem to be morally necessary, namely, God and immortality. The fundamental premises of morality according to Kant himself are said to be established by theoretical metaphysics, but Kant says theoretical metaphysics has no higher status than the atheistic, deterministic, rude, science. What a materialist says, or an atheist, or what a deterministic materialist says,¹²² [does not have] a lower status than what the speculative theist and spiritualist says. So by allowing¹²³ any use of theoretical reason beyond that limited field of experience, I must also consider not only what happens to spiritualistic metaphysics . . . I must also speak of what is going to happen on the part of the materialistic, deterministic thinkers¹²⁴ whose doctrine is incompatible with morality. Therefore (one moment, Mr. . . .) the critique of reason shows not merely that theoretical reason is limited to experience, but also and above all that practical reason is necessarily independent of experience, or that practical reason is essentially supraexperiential, suprasensory. Now, what did you—

Student: What status does reason have if it in no way prepares the necessary . . . deterministic workings of the world of experiential knowledge? . . .

LS: The answer of Kant is given in the immediate sequel by the distinction between phenomena and the things-in-themselves. The materialistic, atheistic, deterministic procedure is absolutely necessary in the field of phenomenal knowledge according to Kant, absolutely necessary. But by realizing that the phenomenal world is not the true reality we see at the same time the limited status of materialism and so on . . . From Kant's point of view, for the first time both materialists and spiritualists appear to be metaphysical because they transcend the legitimate sphere of theoretical knowledge. And all positivism¹²⁵ of course in this respect is distinguished from Kant. A beautiful document is Lenin's *Criticism of Mach*. Mach was one of the founders of a

^{xxv} In original: "much."

^{xxvi} Smith, 26-27; [B xxiv-xxv]

more recent type of positivism and for him philosophy consisted in what he called analysis of sensations, presentations, no assertions that there are things, only passions. And that was as opposed to spiritualism as to materialism, and then Lenin, who among his many vices had also a certain robust common sense, attacked him in a book, *Empirical Criticism and Dialectical Materialism*, or whatever the exact title is,^{xxvii} which is quite interesting reading . . . for a certain simple sense for truth . . .

That is very long section and I think somehow we must read it, but I believe we postpone it until next time and look rather at some other part.¹²⁶ We have to read indeed quite a few of the following remarks. Perhaps I would take some shorter passages. At the end of this very long paragraph,¹²⁷ Kant gives another characterization of what he is doing when he says: “If one takes into consideration the inestimable advantage which the *Critique of Pure Reason* brings, to finish for all times with all objections against morality and religion in a Socratic manner, namely, through the clearest proof of the ignorance of the adversaries.” Confronted with the atheists, for example, Kant will refute them in a Socratic manner: You do not know what you assert, you claim to know. The utmost you can claim is that in your capacity as dealing with simple experience, prescientific or scientific, you have to proceed on deterministic, materialistic premises, but that is not all. What Kant tries to show is that while¹²⁸ the first aim of his attack seems to be the traditional, spiritualistic metaphysics he emphasizes,¹²⁹ he is as much opposed to the opposite view, to the materialistic, atheistic, deterministic view. It is interesting that the term Socrates occurs in this context.¹³⁰ Kant’s critique of reason is really Socratic wisdom in the way in which Rousseau understood the word: defense of the conscience. But of course a defense of the greatest possible sophistication.

Now these other passages we disregard now.¹³¹ I think one should not end such a meeting with some detail; we come back to some details next time. I would like to state the broader questions which emerge.

We have heard two things from Kant; whether we have understood them is an entirely different matter. First, the true basis of metaphysics is morality, not theoretical knowledge of any kind. For example, it is impossible¹³² according to Kant to prove the existence of God by ascending from the visible universe, say either by the Aristotelian way or by looking at the order, the teleological order. Kant tries to show that this argument has no power whatever. The true basis of metaphysics, i.e., of rational statements, if I may say so, about God and the immortality of the soul, is morality. And the second point is the Copernican Revolution. Reason is projective, constitutive, not receptive or passive. Two questions arise. First, only in and through morality does man become aware of the suprasensible, only morality is not and cannot be in need of experience, but is purely rational. Why? Second, is there a connection between the supremacy of practical reason, that practical reason alone opens up to us a vista into the thing-in-itself? Is there a connection between the supremacy of practical reason and the new view of theoretical reason? Is there an essential connection, in other words, between the assertion that the true basis of metaphysics is morality and the Copernican Revolution, [i.e.], that reason is projecting, constituting?

^{xxvii} *Materialism and Empirio-Criticism* (1908).

Now we turn¹³³ to the first question and begin with this question. And for this purpose we turn to a much later passage, at the beginning of the *Dialectics* (if you give me your book, I will find it), the section on the *Ideas in General*. This is on page 254 in this edition. Now one word must be said for our purposes.¹³⁴ Kant is compelled to make a distinction between the understanding and reason. This distinction is entirely different from the traditional distinction of understanding and reason. In the traditional view the understanding is the higher of the two. The understanding, let us say, is the faculty of mental perception, and reason is the faculty of connecting, distinguishing and so on, namely the objects of mental perception. In Kant, understanding is the faculty by virtue of which we can order, organize, the sense-data. What we do in ordinary life as well as in science, is to use understanding for interpreting sensation. The use of the principle of causality is one of these. Causality, mathematics—this is all understanding. But in other words, in all dealings with the conditioned only the understanding comes into play. But we are compelled to think the unconditioned, say—or if you please, the absolute, which does not primarily mean God, but absolute simply as the opposite of the conditioned. This is where reason comes in. Reason is in a way the higher faculty, but it is also the emptier faculty. So reason has for Kant, as he puts it, only a regulative, not a constitutive use. Understanding is constitutive; [it] constitutes the possible objects of experience. But the horizon of infinite progress in studying the conditions of conditions and so on—this prospect of infinity, without which science is impossible, but of which it cannot make any concrete use given this condition—that is reason.

Now we will get a somewhat clearer idea from what we shall read now, because Kant calls the concept of reason, as distinguished from the concept of the understanding,¹³⁵ *ideas*, an old term which he re-interprets, and we begin here.

Reader:

From the way in which Plato uses the term '*idea*,' it is easy to see that he meant by it something which not only was never borrowed from the senses, but which even far transcends the concepts of the understanding, with which Aristotle occupied himself, there being nothing in experience corresponding to the ideas.

So in other words, Kant's simple point is this. Aristotle's categories—that corresponds to what Kant calls concepts of the understanding. These concepts of the understanding, Kant says, are of such a nature that in experience there can be found something congruent with it. Causality? We find specific causal relationships. Things and qualities, as constitutive? We find things with qualities. Or take the other Aristotelian categories: quality, cause—of course we find the other categories in sense experience. Kant interprets the difference between Aristotle and Plato in these terms, whereas Aristotle had in mind . . .

[change of tape]

—the idea is more lofty than the Aristotelian categories.

Reader:

With him the ideas are archetypes of things themselves, not only, like the categories, keys to possible experiences. According to his opinion they flowed out from the highest reason, which however exists no longer in its original state, but

has to recall, with difficulty, the old but very obscure ideas, which it does by means—^{xxviii}

LS: Oh, no. That is a terrible translation. “According to his opinion, they flow from the highest reason, and has to come . . . Is this the only English translation?”

Reader^{xxix}:

from that source have come to be shared in by human reason, which, however, is now no longer in its original state—

LS: Namely, the human reason.

Reader:

but is constrained laboriously to recall, by a process of reminiscence (which is named philosophy), the old ideas, now very much obscured.

LS: In other words, Kant gives here an extremely crude rendering of the most . . . , the traditional view of that. We do not have to go into that. But he’s driving at something else.^{xxx}

Reader:

I shall not engage here in any literary enquiry into the meaning which this illustrious philosopher attached to the expression. I need only remark that it is by no means unusual, upon comparing the thought which an author has expressed in regard to his subject, whether in ordinary conversation or in writing, to find that we understand him better than he has understood himself. As he has not sufficiently determined his concept, he has sometimes spoken, or even thought, in opposition to his own intention.^{xxxi}

LS: This is a very famous phrase, “to understand an author better than he understood himself.” Someone told me that the phrase is older than Kant, a reliable man, I forgot who it was . . . Kant means it of course, in this expression, in a very sober and limited sense: it is possible to understand another human being, even a very great human being, under certain conditions better than he understood himself. And therefore what Kant is saying is not meant to be an interpretation of Plato’s teaching as Plato meant it, but Kant gives here the notion which Plato suggested to him and these notions which Plato suggested to Kant are from Kant’s point of view more defensible and truer than what Plato explicitly said. Yes?

Reader:

Plato very well realized that our faculty of knowledge feels a much higher need than merely to spell out appearances according to a synthetic unity, in order to be able to read them as experience.

^{xxviii} Immanuel Kant, *Critique of Pure Reason*, 2d ed., trans. Max Müller (New York: Macmillan & Co., Ltd. 1900), 255; [A 313 = B 370]

^{xxix} A different student, reading a different translation.

^{xxx} A largely inaudible change with a student follows.

^{xxxi} Smith, 310; [A313-314 = B 370]

LS: You see, spelling and reading are here used in a strict metaphor. The mere experiences must be spelled, must be reduced to something like letters in order to be able to be read as a theme. The spelling and reading goes beyond anything which¹³⁶ mere¹³⁷ sensation can possibly give. That is, reading, we can say . . . understanding as distinguished from the mere being struck by something, by a sense-datum. That is the function of understanding.

Reader:

He knew that our reason naturally exalts itself to modes of knowledge which so far transcend the bounds of experience that no given empirical object can ever coincide with them, but which must none the less be recognised as having their own reality, and which are by no means mere fictions of the brain.

Plato found the chief instances of his ideas in the field of the practical, that is, in what rests upon freedom, which in its turn rests upon modes of knowledge that are a peculiar product of reason. Whoever would derive the concepts of virtue from experience and make (as many have actually done) what at best can only serve as an example in a imperfect find of exposition, into a patter from which to derive knowledge, would make of virtue something which changes according to time and circumstance, an ambiguous monstrosity not admitting of the formation of any rule. On the contrary, as we are well aware, if anyone is held up as a pattern of virtue, the true original with which we compare the alleged pattern and by which alone we judge of its value is to be found only in our minds. This original is the idea of virtue, in respect of which the possible objects of experience may serve as examples (proofs that what the concept of reason commands is in a certain degree practicable), but not as archetype. That no one of us will ever act in a way which is adequate to what is contained in the pure idea of virtue is far from proving this thought to be in any respect chimerical. For it is only by means of this idea that any judgment as to moral worth or its opposite is possible; and it therefore serves as an indispensable foundation for every approach to moral perfection—however the obstacles in human nature, to the degree of which there are no assignable limits, may keep us far removed from its complete achievement.^{xxxii}

LS: ¹³⁸Here Kant gives the reason why moral knowledge cannot possibly be derived from experience. Kant says, and Plato would agree, [that] experience has shown us¹³⁹ only imperfect human beings or imperfect institutions, let me say,¹⁴⁰ but we cannot possibly recognize them as imperfect if we do not know the perfect. That is strict and good Platonism. Therefore, at least Kant limits it to the practical field¹⁴¹—not entirely as we shall see later, but chiefly. The “ought” can never be refuted by the fact that it is never fully realized. Without that, Kant says, we are bound to degrade morality. The distinction between “is” and “ought,” which today is used as the greatest engine for bolstering up the most atrocious cynicism, was made by Kant in order to avoid and to destroy the basis of any cynicism. This is the fate of wrong ideas.¹⁴² That is as simple a statement that we can find, at least in the *Critique of Pure Reason*, [for] why moral knowledge must be purely *a priori*, in no way based on experience—and therefore, whereas theoretical knowledge cannot but be based on experience, moral knowledge cannot possibly be

^{xxxii} Smith, 310-311; [A 314-315 = B370-372]

based on experience. That is the outcome of the problem. And if it is true, as Kant assumes as a matter of course, that purely rational knowledge has necessarily a higher status than knowledge which is not purely rational, moral knowledge alone gives us an access to the unconditioned.

¹⁴³He goes on to say in a very remarkable passage—by the way, those of you who are familiar a bit (or more or less, or very much) with the history of Platonic interpretation in the nineteenth [and] twentieth century must recognize how tremendous the influence of these pages is on that interpretation. For example, that the basic experience of Plato . . . is the moral experience was said infinitely often but I really think that this is so. It is of course not without some confirmation from Plato, that is another matter, but this precision which Kant gives it is quite remarkable. Now let us read¹⁴⁴ the immediate sequel.

Reader:

The *Republic* of Plato has become proverbial as a striking example of supposedly visionary perfection, such as can exist only in the brain of the idle thinker; and Brucker has ridiculed the philosopher for asserting that a prince can rule well only in so far as he participates in the ideas.^{xxxiii}

LS: Brucker was one of the first German historians of philosophy.^{xxxiv} After . . .

Reader: “We should, however, be better advised to follow up this thought, and, where the great philosopher leaves us without help—”

LS: He does not say “the great philosopher.” “[Der] vortreffliche Mann” —“the excellent man” . . . because that is more than philosophy in a technical sense.

Reader:

where [the excellent man] leaves us without help, to place it, through fresh efforts, in a proper light, rather than to set it aside as useless on the very sorry and harmful pretext of impracticability. A constitution allowing the greatest possible human freedom in accordance with laws by which the freedom of each is made to be consistent with that of all others I do not speak of the greatest happiness, for this will follow of itself—

LS: You see?

Reader:

is at any rate a necessary idea, which must be taken as fundamental not only in first projecting a constitution but in all its laws. For at the start we are required to abstract from the actually existing hindrances, which, it may be, do not arise unavoidably out of human nature, but rather are due to a quite remediable cause, the neglect of the pure ideas in the making of the laws.^{xxxv}

^{xxxiii} Smith, 311-312 [A316 = B 372]

^{xxxiv} Johann Jakob Brucker (b. 1696), whose primary work was *Historia Critica Philosophiae*.

^{xxxv} Smith, 311-312; [A 316 = B 372-373]. When re-reading the phrase that Strauss corrects, the reader says “excellent man” instead of “greatest philosopher” as appears in Smith’s translation.

LS: Now let us stop for one moment. You see here Kant replaces the content of Plato's *Republic* by his notion of a rational social order, and it is of course strikingly different from the Platonic one; but [it] concerns only what I said to begin with,¹⁴⁵ the rights of man, a primary consideration of Kant. But Kant says still, in spite of the fact that¹⁴⁶ Plato's *Republic* is completely indifferent to freedom as Kant understands it, yet the formal character of the *Republic*—its being an idea, as Kant calls it, an idea—is the model of the true idea of the rational society. And¹⁴⁷ one must imitate Plato, not in the content of the *Republic*, which is impossible from Kant's point of view, but in the intransigence in which Plato kept it clean from any¹⁴⁸ objection based on experience. That this is not in any way correct because Plato's *Republic* is of course meant to be based on experience. I do not want to go into [that] now; we are trying to understand Kant. And that is a remarkable vindication of Plato against the extreme pedestrianism of the empiricism of the eighteenth century contrasted with, say, Hobbes, Locke, and Hume, and therefore this had an enormous effect.¹⁴⁹ Still, note the changed content. The perfect constitution . . . in which the freedom of each can coexist with that of everyone else under laws, that is the right order. And it is not concerned, as Kant emphasizes, with happiness. A good society is not as such directed to happiness as it would be according to the Declaration of Independence, unless¹⁵⁰ you emphasize the distinction between pursuit of happiness and happiness and say that the pursuit of happiness is the same as freedom—which one could say, which one could say. And now the sequel and the end of the paragraph.

Reader:

Nothing, indeed, can be more injurious, or more unworthy of a philosopher, than the vulgar appeal to so-called adverse experience. Such experience would never have existed at all, if at the proper time those institutions had been established in accordance with ideas, and if ideas had not been displaced by crude conceptions which, just because they have been derived from experience, have nullified all good intentions.^{xxxvi}

LS: I think that is intelligible to you, living on in much of present-day thought, especially in the liberal version. For example, the reference to experience—that, say, a certain people, classes, races, or whatever it may be should not have these rights or privileges because it has been shown that they would misuse them; and Kant says yes, but we have to consider the fact that their inability to use them is due to a preceding injustice, namely, to the fact that they were brought into a condition where they could not possibly become citizens. In other words, it is really a revolutionary principle¹⁵¹—I mean, not revolutionary as novel but in the sense in which it leads to a revolution necessarily. Yes?

Reader:

The more legislation and government are brought into harmony with the above idea, the rarer would punishments become, and it is therefore quite rational to maintain, as Plato does, that in a perfect state no punishments whatsoever would be required.

LS: Plato, to the best of my knowledge, never says that . . .

^{xxxvi} Smith, 312; [A 316-317 = B 373]

Reader:

This perfect state may never, indeed, come into being; none the less this does not affect the rightfulness of the idea, which, in order to bring the legal organization of mankind ever nearer to its greatest possible perfection, advances this maximum as an archetype. For what the highest degree may be at which mankind may have to come to a stand—

LS: “Have to come” must be emphasized, because there may be a limit . . .

Reader: “and how great a gulf may still have to be left between the idea and its realization, are question which no one can, or ought to answer. For the issue depends on freedom; and it is in the power of freedom to pass beyond any and every specified limit.” xxxvii

LS: In other words,¹⁵² that is another implication¹⁵³ [of] Kant’s reinterpretation of the ideas, and to some extent is perhaps implied in the Platonic idea itself. The idea can never become realized. But there are very different degrees of realization, more or less.¹⁵⁴ *There is no assignable limit to the approximation.* No assignable limit. In other words, infinite progress towards the idea is essentially possible. This essential possibility of infinite progress cannot possibly be refuted, according to Kant, by any appeal to experience, because the ground of the idea is beyond experience. This notion of the possibility of infinite progress—say, take the example of infinite progress towards the rational society—does not of course mean that the historical process itself is in fact progressive. That is an entirely different proposition. The essential possibility of infinite progress is essential to the idea of the rational society.

Now here at this moment we touch on our problem of history, of progress. Does not the possibility of infinite progress towards the rational society presuppose the infinite duration of human life on earth? If we are compelled to assert on the basis of theoretical knowledge that human life on earth is not of infinite duration, how can we bring two things together? Perhaps this is one reason why Kant¹⁵⁵ did not elaborate a philosophy of history. Because [to make] an assertion regarding the historical process means to make an assertion regarding the world in which we live. An assertion of this kind is a composite of a practical moral assertion, that the rational society ought to be our goal, and a theoretical assertion regarding the duration of human life on earth. There is a certain tension between these two assertions, and therefore when Kant speaks of what morality compels us to hope for or to believe, he does not mention anything of this kind, but he mentions the immortality of the soul because¹⁵⁶ the assertion of a life after death can in no way conflict with theoretical knowledge. We cannot prove nor can we refute the assertion of life after death. One reason, I suspect, why Kant¹⁵⁷ did not elaborate a philosophy of history¹⁵⁸ or spoke of a philosophy of history only in a kind of occasional reference, whereas the great themes of his philosophy or his metaphysics are God and immortality, is this: that¹⁵⁹ in the case of any assertion regarding the historical process, theoretical knowledge—i.e., not knowledge necessarily following from the dictates of the conscience but of reason—[is] necessarily evident. Whether that is sufficient, we must see. Yes?

xxxvii Smith, 312; [A 317 = B 373-374]

Student: . . . presume an infinite duration of life on earth. And not just only possible for him to assert the possibility of a . . . of a duration of human life . . . longer than any specific . . . limit . . . Progress being possible and always possible . . .

LS: But that is the point where one does something which Kant did not want to do, and that is a kind of dream.¹⁶⁰ That is to say, making assertions regarding the visible universe which cannot be refuted because we don't have the instruments . . . but which in their nature are subject to confirmation or refutation by sense-data, whereas assertions regarding the soul and God cannot possibly be affected by any possible process of science.

Student: It seems to me that the assumption of unlimited life on earth possibly must lead to . . .

LS: Yes, but Kant does not assert it¹⁶¹. In other words, one can state it as follows: Kant's moral philosophy, which culminates in the social philosophy exemplified by Bacon about the rational society, is in Kant's own opinion incomplete without postulates of practical reason. We must hope or believe in order to act morally. Kant gives the example of Spinoza, and says that Spinoza was a decent man with no hope in believing and who made some reflections about the fundamental things . . . By the way, that leads to a psychological question with Kant . . . At any rate, Kant thinks we cannot possibly act morally without having a moral horizon: hope and reason. There are two forms in which this hope could be stated: immortality of the soul and eternal life after death, or . . . , i.e., progress . . . Kant was of course familiar with both possibilities and he spoke of both of them, but it is striking that in the systematic presentation of the postulates only the immortality of the soul occurs and not social progress in any way. And it is a difficult question. One must see what the reasons are. I believe one reason is that in the immortality of the soul, no hypothesis of a scientific character affecting subjects on which science is competent to speak enters. In the case of progress, infinite progress on earth, of course Kant would . . . ¹⁶²wholly apart from Kant's personal belief—you know there are all kinds of books that have been written, that he was from a lower middle-class Pietist family, and from Pietism he got his kind of stupid religious simplicity; and from the lower middle class in Prussia he got a certain submissiveness and obsequiousness, and therefore he talked all the time of duty—I mean this nonsense of course must be denied, but when you think of the serious considerations here that Kant took . . . given this fundamental distinction, given this broad outline of the problem, the immortality of the soul has a systematic preferability to the infinite progress on earth, and that must be considered. Whether it is sufficient is an entirely different question.

It is interesting precisely because the immortality of the soul was dropped by Kant's successors, who therefore eventually became philosophers of history. Whether they took care of the problem created by the possible finite duration of life on earth, that is a question which is generally regarded today as unimportant, because who cares what will happen after seven billion centuries or whatever the most recent figures . . . but for a philosopher, the distinction between a thousand years and seven billions of years, and n billions of years, and true sempiternity and eternity is of course crucial. Absolutely crucial. The attitude of the practical man, the businessman, statesman, is admirable in its sphere, but it is limited. Of course it makes an enormous practical difference whether we know that earth will be destroyed during the lifetime of our children or

grandchildren¹⁶³ [or] whether it will be destroyed a thousand years from now. It makes an enormous difference for our passions, our affections, but from a philosophical point of view the bigness of the numbers is of no importance. And Kant adds [that] whatever we may believe about the immortality of the soul, there is implied a certain reservation regarding history, regarding human experience. I will explain this next time, how so-called existentialism, especially in its original character was a return to Kant in this point. But I see one thing with great clarity, *avec une grande clarté*^{xxxviii}, as Descartes once said in a more important context.^{xxxix} I say, I see with great clarity that we have still to take up one more thing regarding these points I mentioned. Nevertheless, I would be grateful if the next victim, Mr. Pollen, if you would have your paper ready for next time, but I cannot promise you that you will be able to read it.

[end of session]

¹ Deleted "in the...."

² Deleted "the broader problem of...."

³ Deleted "but we...."

⁴ Deleted "we are...."

⁵ Deleted "are said to be made...."

⁶ Deleted "five."

⁷ Deleted "Kant."

⁸ Changed from "necessary process... progressive process."

⁹ Deleted "it cannot be...."

¹⁰ Deleted "and."

¹¹ Deleted "now."

¹² Deleted "Does anyone have the Critique of Pure Reason here? Do you have it? In English? From which version of the text? [Student mumbling] **LS:** I want to see if they have it in the English translation. [Student mumbling] **LS:** Right at the beginning. Before the essentials. [Student mumbling]. **LS:** At any rate...."

¹³ Deleted "Kant...."

¹⁴ Deleted "now who has the English translation? Well I will tell you... the third, fourth, the fifth paragraph...."

¹⁵ Deleted "**Reader:** 'Our government under the administration of...'" **LS:** The next paragraph, the next paragraph. **Reader:** 'But it is idle to feign indifference to such enquiries, the object of which can never be indifferent to our human nature.' **LS:** Now this... Only very few of you have the text. You will have to read very loud and very clearly.

¹⁶ Deleted "you...."

¹⁷ Deleted "thinks."

¹⁸ Deleted "of a mere...."

¹⁹ Deleted "Now, wait a moment. We will go on in a moment."

²⁰ Deleted "solid."

²¹ Deleted "surpass...."

²² Deleted "Kant is...."

²³ Deleted "was most...."

²⁴ Deleted "so that is already...."

²⁵ Deleted "but not the criticism of...."

²⁶ Deleted "is...."

²⁷ Deleted "the one, two, three, four, five, six, seven...."

²⁸ Deleted "can the ontological question be."

²⁹ Deleted "a sufficient...."

³⁰ Deleted "I...."

³¹ Deleted "which is...."

^{xxxviii} Descartes uses this phrase in both the second and fourth meditation in his *Meditations on First Philosophy*.

^{xxxix} A discussion with students about whether it is *clarté grande* or *grande clarté* follows.

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- 32 Deleted "Kant...."
- 33 Deleted "it is."
- 34 Deleted "that man understood it...."
- 35 Deleted "of a very...."
- 36 Deleted "but the...."
- 37 Deleted "in the...."
- 38 Deleted "to...."
- 39 Deleted "I'm sorry...is this not the English translation? Reason puts...."
- 40 Deleted "they...."
- 41 Deleted "the."
- 42 Deleted "and this question in its fundamental...."
- 43 Deleted "of... of... what does he...."
- 44 Deleted "this is...."
- 45 Deleted "gives the...that."
- 46 Deleted "by the...."
- 47 Deleted "but the fundamental...the...."
- 48 Deleted "everything... every...."
- 49 Deleted "grasping...."
- 50 Deleted "mathematics...."
- 51 Deleted "which."
- 52 Deleted "but with the leading role by reason."
- 53 Deleted "it was not properly...."
- 54 Deleted "a manner of thinking."
- 55 Deleted "about...."
- 56 Deleted "or from this point of view...."
- 57 Deleted "is."
- 58 Deleted "Well, the passage... that kind of [inaudible] is this... let us... I think I would [inaudible.]"
- 59 Deleted "the projecting activity of reason."
- 60 Deleted "the possible object of experience."
- 61 Deleted "is...."
- 62 Deleted "that."
- 63 Changed from "They explain in the same way Hume did in some sort."
- 64 Changed from "then that we call it a thing that is 'a logical construct.'"
- 65 Deleted "to perceive."
- 66 Deleted "not mere...."
- 67 Deleted "how...well."
- 68 Deleted "pure...."
- 69 Deleted "they."
- 70 Deleted "sure."
- 71 Deleted "there is no way... we cannot...."
- 72 Deleted "whereas."
- 73 Deleted "you find that."
- 74 Deleted "in other words."
- 75 Deleted "I mean in other words."
- 76 Deleted "are... are... in no way...I mean...."
- 77 Deleted "the fundamental laws...."
- 78 Deleted "Kant would...."
- 79 Deleted "but how does Kant's...."
- 80 Deleted "I mean, if you take...."
- 81 Deleted "he starts from."
- 82 Deleted "and can."
- 83 Deleted "from our understanding...."
- 84 Deleted "that you must...."
- 85 Deleted "now."
- 86 Deleted "there should be possible...."

-
- 87 Deleted "to call them...."
- 88 Deleted "in."
- 89 Deleted "objective necessities."
- 90 Deleted "we will... oh no, no... that this order...."
- 91 Changed from "function for... stomach for...."
- 92 Deleted "but what...."
- 93 Deleted "must...."
- 94 Deleted "the fourth chapter of Aristotle's *One the Soul*.... Oh, sorry...."
- 95 Deleted "there is...."
- 96 Deleted "before you have seen...."
- 97 Deleted "now that...."
- 98 Deleted "reason has...."
- 99 Deleted "in practical reason."
- 100 Deleted "necessarily thought."
- 101 Deleted "it can never...."
- 102 Deleted "but I...."
- 103 Deleted "I would need...."
- 104 Deleted "such sense experience...."
- 105 Deleted "Kant's notion, I mean...."
- 106 Deleted "in that. What"
- 107 Deleted "because he knows... receptivity."
- 108 Deleted "we will...Kant...that will distract us too much...."
- 109 Deleted "there." Moved "is possible."
- 110 Deleted "question."
- 111 Deleted "and we always...."
- 112 Deleted "of conditions...."
- 113 Deleted "of."
- 114 Deleted "reason...."
- 115 Deleted "it has...."
- 116 Deleted "I'm anticipating...."
- 117 Deleted "the only way...."
- 118 Deleted "and that is...."
- 119 Deleted "if we do not make...."
- 120 Deleted "then there is a danger...."
- 121 Deleted "said."
- 122 Deleted "has no...has not."
- 123 Deleted "any use beyond...."
- 124 Deleted "who...."
- 125 Deleted "is."
- 126 Deleted "I would like to...."
- 127 Changed from "this very long paragraph, at the end of it."
- 128 Deleted "the first attack...."
- 129 Deleted "that."
- 130 Deleted "it is...."
- 131 Deleted "Now I would like...."
- 132 Deleted "to prove."
- 133 Deleted "perhaps now."
- 134 Deleted "now."
- 135 Deleted "he calls the concept of reason."
- 136 Deleted "sense...."
- 137 Deleted "sense...."
- 138 Deleted "Thank you very much. Let us stop here for a moment. See."
- 139 Changed from "Experience shows us all this, Kant says, and Plato agrees with that,"
- 140 Deleted "and...."
- 141 Deleted "entirely."

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- ¹⁴² Deleted “whatever...so.”
¹⁴³ Deleted “now, I think Kant....”
¹⁴⁴ Deleted “however, the next.”
¹⁴⁵ Deleted “the concern with.”
¹⁴⁶ Deleted “Plato’s view....”
¹⁴⁷ Deleted “just....”
¹⁴⁸ Deleted “against any.”
¹⁴⁹ Deleted “yeah, but....”
¹⁵⁰ Deleted “you make....”
¹⁵¹ Deleted “which Kant....”
¹⁵² Deleted “there is the possibility....”
¹⁵³ Deleted “implied in”
¹⁵⁴ Deleted “there is no assignable limit....”
¹⁵⁵ Deleted “did not seek....”
¹⁵⁶ Deleted “a life after death can in no way....”
¹⁵⁷ Deleted “elaborated....”
¹⁵⁸ Deleted “but....”
¹⁵⁹ Deleted “only in the....”
¹⁶⁰ Deleted “you know?”
¹⁶¹ Moved “for this reason, perhaps.”
¹⁶² Deleted “that is... in other words....”
¹⁶³ Deleted “and.”

Session 4: April 9, 1958. *Critique of Pure Reason*

Leo Strauss: Now I remind you only of the general points we made on the basis of a consideration of Hume. The first point which Kant tries to establish is the supremacy of practical reason, morality, which means to dethrone speculative reason. There is no possibility of knowledge of suprasensible things. On the other hand, that is to be traced primarily to Hume. Kant regarded it as indispensable to revise radically the traditional concept of reason. Knowledge of sensible things (that is Kant's answer) is based on a projection by reason of the possible objects of sensible experience. These are the two points which appear at the first acquaintance with Kant. No knowledge of suprasensible things, no metaphysics in the traditional sense is possible. But knowledge of sensible things does not have the character which is generally assumed.¹ [Rather, it] is based on the projection by reason of possible objects of experience.

Now we must see how these two assertions make possible the assertion of the supremacy of practical reason, of morality.² Let us continue in the preface to the second edition where we left off last time.³ It is with the fourteenth paragraph from the beginning of the second preface.⁴ Kant had spoken of the fact that his work, being the *Critique of Pure Reason*, might be thought to be of a merely negative kind, and then he goes on to show that it has a positive usefulness. To deny to this work of the *Critique* a positive usefulness is—but go ahead and read; this is already too far.

Reader:

But, it will be asked, what sort of a treasure is this that we propose to bequeath to posterity? What is the value of the metaphysics that is alleged to thus purified by criticism and established once for all? On a cursory view of the present work it may seem that its results are merely *negative*, warning us that we must never venture with speculative reason beyond the limits of experience. Such is in fact its primary use. But such teaching at once acquires a *positive* value when we recognize that the principles with which speculative reason ventures out beyond its proper limits do not in effect *extend* the employment of reason, but, as we find on closer scrutiny, inevitably *narrow* it. These principles properly belong not to reason but to sensibility, and when thus employed they threaten to make the bounds of sensibility coextensive with the real, and so to supplant reason in its pure (practical) employment. So far, therefore as our *Critique* limits speculative reason, it is indeed *negative*; but since it thereby removes an obstacle which stands in the way of the employment of practical reason, nay threatens to destroy it, it has in reality a *positive* and very important use. At least this is so, immediately we are convinced that there is an absolutely necessary *practical* employment of pure reason—the *moral*—in which it inevitably goes beyond the limits of sensibility. Though [practical] reason, in thus proceeding, requires no assistance from speculative reason, it must yet be assured against its opposition, that reason may not be brought into conflict with itself. To deny the service which the *Critique* renders is *Positive* in character, would thus be like saying that the police are of no positive benefit, inasmuch as their main business is merely to prevent the violence of which citizens stand in mutual fear, in order that each may pursue his vocation in peace and security. That space and time are only forms of

sensible intuition, and so only conditions of the existence of things as appearances; that, moreover, we have no concepts of understanding, and consequently no elements for the knowledge of things, save in so far as intuition can be given corresponding to these concepts; and that we can therefore have no knowledge of any object as thing in itself, but only in so far as it is an object of sensible intuition, that is, an appearance—all this is proved in the analytical part of the Critique. Thus it does indeed follow that all possible speculative knowledge of reason is limited to mere objects of *experience*.ⁱ

LS: ⁵Is the thought of Kant clear, in a general way? Then we can perhaps go into special difficulties or intricacies to which he has referred. All possible theoretical or speculative knowledge is limited to mere objects of experience. That is the result of the [first] *Critique*. We do not have to go into the question of how this is derived, but the result must be understood as such, otherwise we cannot go forward. Is this point clear? All possible speculative knowledge is limited to mere objects of experience—the terms Kant . . . mere objects of experience—which means to mere objects of sensible experience. There is no possible speculative knowledge of non-sensible experience. Let us continue to get the other part of Kant’s thesis.

Reader:

But our further contention must also be duly borne in mind, namely, that though We cannot *know* these objects as things in themselves, we must yet be in position at least to *think* them as things in themselves; otherwise we should be landed in the absurd conclusion that there can be appearance without anything that appears.ⁱⁱ

LS: That there “could be an appearance without that which appears.” Let us stop here and read the note where Kant explains what he means by that.

Reader:

To *know* an object I must be able to prove its possibility, either from its actuality as attested by experience, or *a priori* by means of reason. But I can *think* whatever I please, provided only that I do not contradict myself, that is, provided my concept is a possible thought. This suffices for the possibility of the concept, even though I may not be able to answer for there being, in the sum of all possibilities, an object corresponding to it. But something more is required before I can ascribe to such a concept objective validity, that is, real possibility; the former possibility is merely logical. This something more need not, however, be sought in the theoretical sources of knowledge; it may lie in those that are practical.ⁱⁱⁱ

LS: So the question arises:⁶ we know things, trees, and so on. Kant says that the *Critique of Pure Reason* proves that these are only appearances or phenomena. Kant contends that this is implied

ⁱ Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (Macmillan & Co., Ltd. 1929), 26-27. Italics, brackets, and parentheses in Smith; [B xxiv-xxvi].

ⁱⁱ Smith, 27; [B xxvi]

ⁱⁱⁱ Smith, 27n; [B xxvi n.]

that there are things-in-themselves, which for the same reason are inaccessible. That is, we must take this to begin with as a merely dogmatic assertion. There is a very great difficulty here which was noticed by one of the earliest critics of Kant, that without the things-in-themselves, as he put it, one cannot enter into Kant at all, and with it one cannot stay within it. But ⁷whether there is not a necessity for Kant to assert that, we must see later. But that is crucial. The contention that we know genuine knowledge is⁸ of the phenomenal world implied for Kant necessarily that the things-in-themselves are inaccessible to us. But he goes on to say⁹ [that] we can think the things-in-themselves while we cannot know them.

Now what does this distinction between thinking and knowing mean? I can think everything, Kant says, which is not self-contradictory; so perhaps a golden mountain is not self-contradictory, or a chimera. Then it would be possible. But Kant adds *logically possible*, meaning it does not involve a contradiction. But a logical possibility is not yet a real possibility, as Kant puts it. It does not prove that the thing in question is *truly* possible. For example, in the case of the chimera, assuming that it is not self-contradictory to think of a beast which is a raven in front, a goat in between, and a dragon at the end,¹⁰ we still do not know whether it is possible in the nature of things. We would have to know much more than we do about goats as well as about dragons to answer this question.

Now what about suprasensible beings: God, the soul? We can think them. In that sense they are logically possible. The concept of God or of the incorporeal [and] the immaterial soul is not self-contradictory, Kant says. But what about the objective, the real possibility? That is not guaranteed by the logical possibility. Well, we need some data for that,¹¹ and Kant says that these data do not have to be supplied by theoretical knowledge; they may be supplied by moral knowledge—by the conscience, you can say. The facts of the conscience, or given by the conscience, may show us that these notions of the existence of God and the immortality of the soul are not merely logically possible but¹² [practically], for the sake of morality, necessary.

¹³I am now concerned only with helping you and myself towards a very provisional understanding of Kant's intention. There are many very difficult questions . . . at every step. If there is a particularly obnoxious stumbling-block for any of you in these points which I have mentioned, now do not hesitate to bring these questions up, and¹⁴ if some difficulties can be disposed of by a brief discussion, that would be all to the good.

Student: Is it possible to know about things-in-themselves even that they are logically possible?

LS: ¹⁵You mean, for example, whether the notion of incorporeal beings is not a contradiction in itself. Kant obviously implied that the notion of an incorporeal being is not contradictory in itself. That he implied.

Same Student: [What I mean is, if the thing-in-itself is unknowable, and we cannot have any perceptions of it, how do we know what is logically possible or not?]^{iv} ¹⁶

^{iv} The question, barely audible, was given this phrasing by the transcriber.

LS: Kant would simply say: Tell me, tell me what you understand. Let us not speak about any other thing, otherwise . . . Take the soul, the soul as an incorporeal being. Kant contends [that] this does not contain any contradiction.¹⁷ One would need to show how could it be self-contradictory.¹⁸ In a way Kant does argue in certain parts of the *Critique of Pure Reason* that the denial of it is based on an absolutization of “matter.” Let us therefore enter into an analysis of matter, which Kant in a way does in the *Critique of Pure Reason*, and we would show that matter necessarily disintegrates as you begin to analyze. In other words, the assertion that incorporeal beings are self-contradictory is based on a dogmatic and unanalyzed concept of matter or body. But surely great difficulties arise here as well as regarding the notion of God as a being possessing all perfections, true. Kant was aware of this difficulty but contends that there is no possibility of a logical contradiction here.

Student: Why can’t you think a contradictory thought? I mean at least entertain a contradictory thought?

LS: Yes, sure, we do that unfortunately all the time.¹⁹ But what does that mean? That means with one hand we give something, and with the other we take it away. So what remains is zero.²⁰ That is from both Kant’s and Aristotle’s point of view extremely simple. Self-contradiction, to contradict oneself, means to say nothing. You wipe out by the second action what you have posited by the first.²¹ For Kant that was no problem. A contradictory thought is an absurd thought. Strictly speaking that is impossible. When you think that the cat is green and the cat is not green, that contains some reality, surely, that there are such things as cats and there are such things as colors. Surely that is a non-contradictory thought, but the combination of the ascription of one color and of the denial of that ascription to the same being makes you²² say nothing, though you may think of some things.

Student: Can non-empirical concepts be more than purely negative? That is, Kant at some points speaks of a concept of a mere X with no content in it whatsoever. Wouldn’t all content belong to the empirical concepts?

LS: ²³There are these ideas of reason, of which Kant speaks in the “Dialectics”^v as follows:²⁴ all empirical knowledge, in the sense of scientific knowledge, is knowledge of cause and effect, let me say very crudely, of conditions of conditioned things—conditions of conditioned things—and then of course of the conditions of these conditions in infinite regress. But we cannot understand that thought of condition, according to Kant, without being aware of the *unconditioned*. We cannot be aware of relativity except to opposing . . . an opposing absolute. In a way this X of which Kant speaks is as absolute as a . . . but it has a certain definiteness by being decidedly non-conditioned, non-relative, and for Kant there is a necessity for man to think God. There is a necessity itself to think God . . . meaning one God, the unconditioned cause of everything else. It is from Kant’s point of view necessary for human reason—but to think God and to know that he is are two entirely different things.²⁵ The thought of God means not more than to think that God is possible. And it remains a mere logical possibility and therefore empty unless the conscience, the *data* of the conscience—the data of the conscience—compels us to assume that God is. No analysis of phenomena, Kant says, can ever compel us to assume that God is. There is no possibility of demonstrating the existence of God. But there is a necessity, a practical

^v A part of the *Critique of Pure Reason*.

necessity to assume the existence of God or to believe in the existence of God. So in other words,²⁶ what Kant calls the concepts of reason, or ideas, are not so completely empty; they are especially not arbitrary.²⁷ We cannot help thinking and demanding a unity of the whole, and this unity is not completely vague, but on the other hand this unity can never be found in experience and it can never be known to be, but we must think of it. Now the concrete form of this unity is the idea of God, and to know that God exists is impossible. To think God is necessary; you can put it this way. In other words, the same would apply to the soul . . . as well, the immortality of the soul. We must think that, but we cannot know it. That is implied in everything. The development of this part is given in Kant's theory/doctrine of the ideas, in the first part of the "Dialectic."

Student: The problem that we must think these concepts of such attributes as unconditioned, unextended, non-temporal as purely negative . . . that is, do we get the idea of a suprasensible thing except by taking an empirical concept and one by one stripping it of its empirical attributes until we are left with something that is not empirical but purely negative?

LS: Yes, but the question is whether it is merely an arbitrary thing, this stripping, whether there is an evident necessity of our reasoning [which] does not compel us to do so and, indeed, they lead in a way to empty abstractions. You can put it this way, meaning we cannot know if these beings are. We can never know that, but the question is whether we are not compelled by moral practical reason to assume this.

Student: . . .

LS: That question will be answered in the immediate sequel.

Student: . . . Do we know specific attributes, such as that God is just?

LS: Yes, we must assume that. That is part of it, that we must assume that God is holy, etc. That is developed by Kant in the *Critique of Practical Reason*. In other words, the God we must assume on the basis of the conscience must be a moral God. That follows.

Student: Is the theoretical possibility established by the *Critique of Pure Reason* that justice is not contradictory to one of the other attributes we do not know?

LS: That means simply that God is mysterious. God is mysterious. Kant cannot claim to have perfect knowledge of the essence of God. That is absolutely impossible from his point of view. But the God whom you must think and to the extent to which you must think him is not self-contradictory.

Same Student: Because we are compelled to think a just God we must assume a just God is not logically impossible?

LS: Because your theoretical knowledge does not tell you anything.

Same Student: It neither denies that it is possible nor impossible?

LS: No, what Kant says is this: If there were a theoretical knowledge of God, then there could be a contradiction between the practical conception of God and the theoretical conception. But since there is no theoretical conception of God there can be no contradiction.

Same Student: But as long as we know we are ignorant of his attributes is it impossible for the conscience to think an attribute which might be in contradiction with one of the attributes . . .

LS: Yes sure, that is part of the difficulty. But let us leave it at that for the time being, for that is a great difficulty. And now let us read the beginning of the sequel where we can answer one of our questions. Kant has said before that²⁸ [to] make the distinction between thing-in-itself and phenomenon is absolutely necessary. To speak of appearances means to imply something which appears. You can say that in a sense it is merely verbal. Why does he call it a thing in the first place? But we will see later that Kant does not make use of such silly quibbles. Now let us first get a somewhat greater clarity²⁹ as to the status of the thing-in-itself from the next sentence.

Reader:

Now let us suppose that the distinction, which our Critique has shown to be necessary, between things as objects of experience and those same things as things in themselves—^{vi}

LS: So they are the same things. It is not so that if we have here cats, and dogs, and trees, and chairs, and then there is an entirely different thing there. The *same* things, the same things are seen . . . are known to us only as objects of experience. They are not known to us as they are as things-in-themselves. Now that is hard to understand.³⁰ One can³¹ explain Kant's distinction first of all in a merely historical way by referring to the tradition. Let us assume that all things have been created by God. God would know them in an entirely different way than we know them. The way in which God knows them is how they are as things-in-themselves. We know them only as created beings can know created beings. That is certainly a crucial premise of Kant's thought: the possibility of creation and a divine knowledge of the created things. But one can perhaps understand Kant's thought also from a way which is more familiar to us today. What is the way in which average people of some so-called scientific sophistication conceive of this matter? What is the status of our knowledge, say, our scientific knowledge, according to what is assumed today? Vulgarly? Vaguely? Because we cannot help thinking about the same problems although not necessarily on the basis of the same premises as Kant does—

[change of tape]

—our understanding is human understanding, on all levels, from sense up to everything. All our knowledge is relative to man. And some people today even say it is relative to specific men, say, modern man, or Chinese; but we do not have to go into that complication. All knowledge is relative to man. But why should this knowledge or perception relative to man have a higher status than the perception relative to dogs or cats? Does this not create a problem, if all

^{vi} Smith, 27; [B xxvii]

knowledge is relative to man? Does this not necessarily³² open the question of a kind of knowledge³³ which would not imply of . . . relativity?³⁴ I will develop this a bit better. According to the view which prevails today within the sciences as far as I know, man is a purely accidental being. There could be entirely different beings who also might be able to use verbal symbols but would not be men, as could be shown by the fact that they would not be able to read as human beings—maybe even Martians or creatures of this kind. Now what is that? I mean,³⁵ what does knowledge mean under such conditions? Of course you can say knowledge is nothing but a tool that this particular beast called man produces in order to survive. Something of this kind is sometimes suggested. But there is something unsatisfactory in that, because somehow we also think of knowledge as objective and not merely suffering from this kind of relativity. I do not know whether I make myself clear or not.

Let us look back at the Platonic-Aristotelian view to see another possibility. For Aristotle especially, but it is also true of Plato although less vividly, this problem does not arise because man is not accidental. Man is that being, the only being known to us, which is open to everything . . . Man is the microcosm and therefore man has in himself the possibility of openness to the macrocosm—to all strata, parts, or what have you, of the whole. So there is no relativity to man because relativity to man means the relativity to the measure. Plato does not reject, as some . . . people say, the position that man is the measure of all things. He rejects a certain simple version of that such as that the individual is the measure of all things, but man as man is the measure of all things. If you look up the passage in the *Laws*, you can see a cautious formulation of that view and it is not simply rejected.

Now that is abandoned. Man is just one species among many other species. What is the status of knowledge? . . . ³⁶ Kant draws this conclusion. Man is not the microcosm. That is somehow implied. Therefore relativity of knowledge to man implies another kind of knowledge which is truly open and that can according to Kant³⁷ only be divine knowledge, not that of dogs. Therefore³⁸ it seems that the Kantian assertion of the thing-in-itself is one (and a very respectable [one]) alternative to the classical view of the microcosm-macrocosm view. That is, I think, the way to look at it. Today this question is of course pushed back by virtue of a certain attempt to get rid of anything which could be called false metaphysics, but an attempt which has never been successful except in . . . ³⁹ but it was empty and formal and therefore not altogether to be recommended. There is another criticism possibly of Kant which was made after Kant—Fichte, Schelling and Hegel—of which I shall speak later.

Student: I'm having difficulty reconciling what you just said with the things we hear about in Aristotle, for instance, that the human things are not the highest things.

LS: No. The human things, surely, but that does not have to do with that. There is a passage in the sixth book of the *Ethics* where⁴⁰ Aristotle makes the distinction between white and, say, useful. There Aristotle says if something is white it is simply so, but if you say useful you imply relativity: useful for human beings, for fishes, for trees, or what have you. The human things, what Aristotle means by human things are things which are relative to man in so far as he is not a thinking being. For the time being that is the most difficult of all questions which you raise.⁴¹ But I cannot go beyond that now. We may come to other aspects of it later.

I suggest now that we continue⁴². You must not forget that our discussion is quite naturally and necessarily very vague up to this point. We must come to that concrete and serious question which is the starting point of this whole distinction and Kant will speak of that in the immediate sequence so then let us read another passage. Read the same sentence again, please.

Reader:

Now let us suppose that the distinction, which our Critique has shown to be necessary, between things as objects of experience and those same things as things in themselves, had not been made. In that case all things in general, as far as they are efficient causes, would be determined by the principle of causality and consequently by the mechanism of nature.^{vii}

LS: Is this clear so far? If there is no distinction made between things as phenomena and things as things-in-themselves, then we must say that the principle of causality in its strictest deterministic sense is unqualifiedly valid. Unqualifiedly valid.

Reader:

I could not, therefore, without palpable contradiction, say of one and the same being, for instance the human soul, that its will is free and yet is subject to natural necessity, that is, is not free. For I have taken the soul in both propositions *in one and the same sense*, namely as a thing in general, that is, as a thing in itself; and save by means of a preceding critique, could not have done otherwise.

LS: Do you see that? It is necessary, Kant says, to say of one being, the human soul, that it is free, because if it were not free morality would be impossible. On the other hand, it is also necessary to say that the soul is not free but every human thought or wish is fully determined. That is necessary to say.⁴³ Why is it necessary to say? Because⁴⁴ such things as the conservation of energy could not be maintained if you . . . of visible, physical phenomena, if this were not fully determined. The scientific understanding of the world, Kant maintains, requires strict necessity of every action, including of course mental acts occurring in one and the same world. And⁴⁵ all kinds of superstition would come in if that were not strictly maintained. On the other hand, it is impossible to deny the freedom of the will without denying morality. That is the problem at which Kant really starts: the necessity to maintain the universal mechanism of all events and at the same time to assert the freedom of the will. That is the starting point. And Kant says there is no way out. Either you must question causality, and to question it at any point means of course to destroy the principle and on the other hand, morality. Now let us read from where we left off.

Reader:

But if our Critique is not in error in teaching that the object is to be taken *in a twofold sense*, namely as appearance and as thing in itself; if the deduction of the concepts of understanding is valid, and the principle of causality therefore applies only to things taken in the former sense, namely, in so far as they are objects of experience—these same objects, taken in the other sense, not being subject to the

^{vii} Smith, 27-28; [B xxvii]

principle—then there is no contradiction in supposing that one and the same will is, in the appearance, that is, in its visible acts, necessarily subject to the law of nature, and so far *not free*, while yet, as belonging to a thing in itself, it is not subject to that law, and is therefore *free*. My soul, viewed from the latter standpoint, cannot indeed be known by means of speculative reason (and still less through empirical observation); and freedom as a property of a being to which I attribute effects in the sensible world, is therefore also not knowable in any such fashion.

LS: You see in other words, I cannot say that I know the soul as a being of a certain nature and therefore [that] I know that the soul is free, a free agent. That is impossible. Therefore the only way of knowing the freedom of man is to know it from a datum, from a fact accessible to us, and that is the moral law which implies that we are free. The moral law tells us: Thou shalt act in a certain way. That⁴⁶ implies that we are free to act or not to act. That is the most superficial meaning of freedom. And therefore the fact of the moral law is impossible without freedom. Freedom cannot be deduced from a theoretical knowledge of a spiritual substance called the soul. Yes?

Reader:

For I should then have to know such a being as determined in its existence, and yet as not determined in time—which is impossible, since I cannot support my concept by any intuition. But though I cannot *know*, I can yet *think* freedom; that is to say, the representation of it is at least not self-contradictory, provided due account be taken of our critical distinction between the two modes of representation, the sensible and the intellectual, and of the resulting limitation of the pure concepts of understanding and of the principles which flow from them.

viii

LS: Now we must try to reach a point where we can translate for the purposes of our understanding what Kant says into notions which are familiar to you from your training. What would be an equivalent? ⁴⁷How does the problem stand today? Things have changed because the principle of causality is no longer the same as it was in science, but there is an equivalent. I wonder whether this will work, but I will try. According to the theory prevalent today, scientific knowledge is possible only of facts and correlations of facts. With that you should be acquainted in general terms. It is impossible to know values; that is to say, we can know values as facts, meaning that A values alpha—that you can know, but of course we do not know it as a value. This is shown by the mere fact that conflicts between values cannot be rationally or scientifically decided.

So we have a closed system of facts and correlations of facts and there is no possibility of knowing values. And now what shall we do? If we assume that this is not the last word about values but there is some awareness of values (I apologize for the term), but which does not, cannot, possibly have a place within scientific inquiry, must we not do something about that? Must we not limit the sphere of science and say: All right, in science we cannot talk about values in a way applicable to values, but there must be something else. That is only the first step.

^{viii} Smith, 28; [B xxvii-xxviii]

The second step is that you cannot say: All right, here we have the sphere of facts and here we have the sphere of values. That will not do because the same phenomena, in Kant's use of the word — the same phenomena, the same things are both facts and⁴⁸ values. [Take] a simple case: a crook. He would not appear as a crook in scientific language because it is a value judgment, but on the other hand he means the same thing. When we look at him outside of the classroom, we say [he is] a crook; when we look at him inside the classroom we say [he is] a man with complexes or I do not know what. [Laughter] Now you see, what is that? How can we solve that problem, except if we say [that] we look at the same phenomenon from two different points of view? This would require in the first place, given the authority of science, that we show the essential limitations of science. The state of the problem was substantially very different in Kant's time but there is a certain similarity. Kant takes Newtonian science understood in its strictly deterministic and atheistic sense, which we did not yet introduce . . . the inescapable fact of phenomena. That is, you cannot theoretically understand any phenomenon except in⁴⁹ materialistic, deterministic terms. That is the only way to understand it. Then what? There is something which is left out there of utmost importance—and not only something in heaven, in an entirely different dimension where there would be no possible conflict, but concerned with the very same phenomena, especially man.⁵⁰ You look at statistics of cars—a scientific investigation—and say that the incidence of this-and-this kind of thing is that-and-that, or you look at the incidence of rain, or hail, or whatever it is, and yet you know that that is not the only way of—look at crime: when you are confronted with the criminal suppositions made to you by someone else or by yourself, then you cannot look at it in statistical terms . . . the statistics for next year. But that is somehow not the proper way of looking at a criminal proposal. So how can we account for the duality of points of view, except by saying the same phenomenon belongs to two radically different contexts? Number one.

Number two: Kant assumed that the moral judgment is of a much higher dignity than the statistical judgment because you can probably understand that—although there are some people who doubt it, but you can understand how someone would make this contention.⁵¹ A simple example: it is a more relevant question when you are confronted with criminal propositions to raise the question Ought I to do it? than the question: What will become of next year's statistics? Yes? Because you can somehow say that that will take care of itself somehow. So that is a higher point of view, the moral point of view. Therefore the extreme expression of that is the distinction between viewing things as they appear, as mere phenomena, and as they are in themselves.

The term "thing-in-itself" is of course a very crude expression because we usually don't call man a thing, but Kant used the term probably for reasons of caution.⁵² He took the most general, the most vague term, "thing," and did not call it "being-in-itself" or something of this sort. So there is an analogon to that in our times, a question of the limitation of science, but it is merely an analogon which I introduced to perhaps help some of you perhaps understand what Kant is talking about. It is by no means sufficient for the simple reason that for Kant scientific knowledge is not fundamentally different from prescientific knowledge, as we must somehow assume today. Kant antedates non-Euclidean geometry and quite a few other things. I cannot go into that now. But we must reach a point that is absolutely necessary for our purposes⁵³ where every one of you can get a glimpse of the fact that what Kant is doing is not meaningless, as many people would say today it is. And I am very anxious to achieve that understanding.

Student: Perhaps one of the difficulties of Kant is that he accepts, in the last analysis, moral data as higher than physical data; or taking moral data so seriously, if not pushing it back further to the instruments of science, he violates the methods of science. In other words, why do we have to accept moral conscience as an unanalyzable datum?

LS: No, Kant does not say it is unanalyzable, he says it is irreducible.

Same student: Which is to say the same thing . . .

LS: All right, let us do that; then we would arrive at psychoanalysis or something of this kind. Good. But the question is whether this works, whether that is really possible. Kant's analysis of morality may be questioned, but the question arises whether its premise, that the moral phenomena are irreducible, is questioned. Do you see that? Because one could conceivably analyze morality in different terms. But the question is whether you can reduce morality to non-morality or sub-morality. That is the question. The scientific thinker would of course say that you have to do it, just as it was said in Kant's time. You have to give a deterministic account of morality which means, in effect—this is at least what Kant had in mind—the reduction of morality to non-morality.

Student: Insofar as Kant wouldn't ascribe this duality to the limits of human knowledge but rather accepts it as the prerequisite of human knowledge—if we could see that the duality of the noumenal and the phenomenal worlds is not inherent in the world as such but rather due to the inability of man to go beyond appearances, we would be saying that this duality is only transitional or temporary.

LS: Yes,⁵⁴ but that means in principle it is already done.⁵⁵ We do not have now a reduction of morality to non-morality, but we will have it in, say, 50 or 200 years. That, as far as the principle goes, is the same thing. That would not help.⁵⁶ But let us take the scientific thinker and see whether that works and can work. They say that values are merely (Kant of course would not speak of values)⁵⁷—that distinctions of good and bad or of just and unjust, which is what they mean by values, is merely emotive. That depends on the individual and the constitution of the individual, or what have you; that has no dignity, no cognitive dignity whatever. You know that. Good. All right then. And then we give a merely factual account that class A is inclined to value alpha and skid row people are inclined to have beta, etc. You know this kind of thing. That is the view.⁵⁸ Can we leave it at that? Is it possible? The question arises regarding science itself: Is science good? This answer of course cannot be answered by science. That is clear, [especially] if there are no value judgments within the framework of science itself⁵⁹. I mean, what the sciences do in order to sell science, to get foundation money, is an entirely different story, but that they do as practical men or administrators but not as scientists.⁶⁰ But the assertion that science is good, that enlightenment or clarity, however you call it, are good things cannot be maintained by the scientist as scientist in this modern view.⁶¹ That means not only special theories or hypotheses of science, but science as a whole. The whole scientific approach is optional. Yes?⁶² I mean it is not so that I, as a human, rational being, am obliged to respect science—not necessarily to become a scientist but to respect science as the great actualization, the form in which reason is actualized, so that I must despise myself if I become an opponent. No. The values of the opponents are from

the point of view of science as high as those of the scientist. That is a different personality type. Yes? That is all. You cannot say that one is higher than the other. Science is radically optional.

What then is the fundamental fact, given this state of affairs?⁶³ [Neither] science nor any scientifically-established fact or theory or hypothesis has a fundamental option, the fundamental option, say, for simplicity's sake, [is] science and non-science. Non-science can mean *n* possibilities, but that is of no interest to me now.⁶⁴ That is the fundamental point. I would like to understand that option because, while I may not be a scientific man, I try to reach some clarity. How do I proceed? If I try to understand this fundamental option, if I try to interpret that scientifically, I contradict myself. Because I make already an assumption which I know is optional. I have to go deeper than science. Furthermore, I know on the basis of this same fact that the option cannot possibly be a rational choice, because no choice of any value can be rational, actually. So⁶⁵ we are then confronted with this fact: that the fundamental human phenomenon is an option of a non-rational character which cannot be properly analyzed in scientific terms.

Now let me call this option freedom—freedom—because there is no compulsion either by external circumstances or else by reason. It is a radically free act. So we find then, deeper than science, more fundamental than science, a fundamental freedom which can find one possible fulfillment in science, other possible fulfillments in other pursuits. That is a free adaption of what Kant means to the present situation. Freedom is the most fundamental fact.⁶⁶ An understanding of what science does, an analysis of science, an epistemology or however you call it, leads to something more fundamental than science, and that to which it leads is a radical, abysmal, freedom.

This is what people sometimes mean today by existentialism. Existentialism is a modified form of Kant.⁶⁷ It has this in common: beyond the sphere of theoretical, speculative knowledge and more fundamental, [in a] more true sense, is freedom. This freedom no longer has a law as it does in Kant, it is no longer rational, but that is another matter. But the formal structure of the thought is the same and of course existentialism⁶⁸ emerged out of a modification of Kant so that what Kant meant is immediately intelligible to us on the basis of the present state of affairs. But indeed, in Kant the specific formulation of the problem is entirely different because in Kant's time no one had said that science must be value-free. David Hume, to whom they always refer as their father or grandfather,⁶⁹ while he denied that values can be rationally known, it was clear to him that the same values are accepted⁷⁰ by all men, though people do not act on them. You could use the term natural law, in the sense of moral law, although in a somewhat complicated version.⁷¹ Hume was neither a relativist⁷² [nor] a rationalist. So this problem was entirely different in Kant and⁷³ was limited to this question: a closed deterministic system excluding moral freedom is incompatible with the phenomenon of morality. And the question which you raise is perfectly legitimate. Is Kant's analysis of the moral phenomenon correct? Surely, a very necessary question, but still⁷⁴ one cannot dispose of it as a kind of old fogey. That I tried to make clear.

Now is there any other point? To repeat: Kant makes very specific assumptions. Theoretical knowledge in its perfection as he sees it is not the science of our day, but the science of the eighteenth century, late eighteenth century, a somewhat modified Newtonian physics with its complements. That is perfectly true. Therefore quite a few problems arise now which did not

arise for Kant. One can state the problem as follows, disregarding the niceties about non-Euclidean geometry and the indeterminacy principle and so on: For Kant there was no question whatever that scientific understanding, Newtonian understanding,⁷⁵ the highest⁷⁶ form of which is certain equations, is simply the most perfect⁷⁷ form of our natural understanding. When I see X shooting Y, X as the cause of the death of Y, I do not proceed in a fundamentally different way from what the scientist does when he tries to find the cause of the phenomenon. It is only more perfect, because the scientist is not limited to this particular case but he tries to establish laws of cause and effect.

In the course of the nineteenth century, especially in the last decade of the nineteenth century as far as I know, people became aware of one possibility which can be stated more simply as follows: the scientific understanding of the world, the understanding of the world which we find in modern science, is not simply the perfection of our natural understanding. It is a radical modification of it based on certain specific premises. From this moment on, the analysis of our natural understanding of the world and the analysis of the scientific understanding of the world became two entirely different things, and it was then understood that they had to be distinguished and that the true problem for such a philosophy would have to be first to understand the natural understanding of the world and then to see by virtue of what modifications does the scientific understanding of the world arises from the natural understanding of the world. And this change is connected, I believe, most of all with the name of Husserl, the founder of the school called phenomenology in Germany and Switzerland. That is of course one crucial difference, immediately the most important difference, between the state of the modern day and that of Kant.

Now I would like to read a few more passages in the preface. I think we should read the conclusion of this passage here because a very famous formula occurs of which we must take cognizance. Continue where we left off.

But as it is since I do not need for morality anything except that freedom is not self-contradictory and therefore can at least be thought and I do not need to *understand* it any more.^{ix}

You see, this is the problem we had before, the difference between thinking and knowing. I can think freedom, because freedom is not contradictory;⁷⁸ there is no contradiction between freedom and the mechanism, by virtue of the distinction between appearance and thing-in-itself. But I do not understand it. How does he say it in this translation?

Reader:

But as I require only for morality nothing more, except only that Liberty should not contradict itself, and therefore, still at least may be thought without it being necessary to look farther into it—

LS: No, that is not right. “without it being necessary to comprehend it.”^x

^{ix} *Critique of Pure Reason* [B xxix]; Strauss’s translation.

^x “ohne nötig zu haben sie weiter einzusehen”

Reader:

that consequently it lays no obstacle at all in the way of the mechanism of nature of the self-same action (taken in other relationship), the doctrine of Morality thus maintains its place, and Physics its —^{xi}

LS: You see, that is the very simple and superficial formulation but not misleading. Kant tries to preserve physics . . . but he also tries to preserve morality. He cannot do it except by making the distinction between appearance and thing-in-itself. Yes?

Reader:

The critick instructed us previously respecting our unavoidable ignorance respecting things in themselves, and limited every thing to mere phenomena which we can [“everything which we can know theoretically to mere phenomena”—LS] Even this explanation of the positive utility of the critical principles of pure reason may be shown in respect to the conception of *God*, and of the *simple nature* of our *Soul*, but which I, for the sake of brevity, pass over. I cannot, therefore, *ever* assume *God*, *Freedom*, and *Immortality* in favour of the necessary practical use of my reason, if do not *take away* at the same time from speculative reason its pretension to transcendent insight, since, in order to attain to this, it must make use of those principles which, whilst they indeed extend to objects of possible experience, they nevertheless are applied to that which cannot be an object of experience, turn this really always into phenomenon, and so declare all *practical extension* of pure reason impossible. I must therefore, then, abolish *science*, in order to find place for *belief*, and the dogmatism of metaphysick, that is, the preconception of making progress in it, without critick of pure reason, is the sure source of all unbelief opposed to morality, which at all times is very dogmatic.^{xii}

LS: Namely, the unbelief is dogmatic, not the morality. So that is the famous formula. “I had to remove.” How does he say it?

Reader: “I must therefore abolish science.”

LS: No, abolish is of course impossible.

Student: Deny.

LS: That is also not it. *Aufheben*, the German word which later on played a great role, an important role in Hegel, does not of course have in Kant that meaning⁷⁹ of both to destroy and to raise. But on the other hand, abolish and deny⁸⁰ are not exactly [right].

Student: Suspend?

^{xi} Immanuel Kant, *Critick of Pure Reason*, trans. F. Haywood (London: William Pickering, 1838), xxii-xxiii; [B xxix]. Hereafter referred to as “Haywood.”

^{xii} Haywood, xxiii; [B xxix-xxx]

LS: Yes, that would somehow be a bit better. I cannot now find a better translation.⁸¹ What then does Kant say? Without a critique of pure reason, without the critique which he has given, we necessarily assume that scientific knowledge of the world is adequate or full knowledge. In this scientifically-understood world there is not only no knowledge of God, freedom, and the immortality of the soul, but not even the possibility of it, and Kant says that that is fatal to morality. And the argument is more precisely this: the immediate demand of morality is freedom; and Kant contends that if we cannot understand that freedom, we cannot assume that freedom without assuming at the same time God and immortality. Into this question I do not think it is now necessary to enter.⁸² Science itself has its legitimate dogmatism but legitimate only within certain limits and these limits are established by Kant in this form: Science is the most adequate form of knowing the phenomenal world, but the phenomenal world is necessarily distinguished from and inferior in rank to the thing-in-itself, the world in which morality is at home.⁸³

There are extremely important matters in the preface to the first and second editions which we must skip, but I would like to mention a few more points. In the next paragraph, which is very important, because Kant makes here a distinction between the interest of the schools, of academicians, and the interest of man and he tries to show that his denial of the possibility of theoretical metaphysics is a blow of course to the professors of metaphysics.⁸⁴ Kant says there is a higher interest, and that is the interest of man, and this interest is not banished by the *Critique of Pure Reason*, but rather helped. Now, in this connection he uses a remarkable expression. The possession he mentions is the possession of these beliefs in God, freedom, and immortality:

Reader:

This possession, thus, not only remains undisturbed, but it yet rather gains thereby in respect, because the schools now are taught not to assume to themselves any higher and more extended insight into the matter which regards man's general care, than that which the great (the most estimable for us) mass can equally attain

___xiii

LS: That is a very important remark. The translation does not come out. "The great multitude" would be better, mass being a term stemming from physics. I believe it has been applied to human masses only since the French Revolution—*levée en masse*, arising in mass. People today speak of the masses and replace the expression[s] the many or the multitude by the masses . . . but Kant does not speak of the masses; it is "the great multitude which for us is most *achtungswürdigste*, that is more than it seems, which deserves our greatest human respect" that is the other side of the criticism of speculative metaphysics. If in the most important respect the most simple man is equal to the most sophisticated philosopher—in the most important respect both can claim belief, hence there is no supremacy of knowledge concerning God, freedom, and the immortality of the soul—is not the status of the multitude of man infinitely raised? This is that element of Rousseau of which I spoke before and which we should never forget when we come to the more interesting questions.

^{xiii} Haywood, xxv; [B xxxii]

⁸⁵To my very great regret, I must leave it at these few remarks⁸⁶ regarding the preface to the second edition, because we cannot go into a really adequate study of Kant's criticism of metaphysics. I repeat therefore again the two points which Kant makes. The true basis of metaphysics is morality; and the Copernican revolution of which we spoke of last time—reason is projecting, constituting, and not receptive of fact. And this gives us two questions. First, only in and through morality does man become aware of the suprasensible. Only morality is not and cannot be in need of experience but is purely rational, and⁸⁷ we have read, in the section on the ideas where Kant refers to Plato, why that is so. Experience cannot possibly give us a clear notion of virtue, of goodness, because no man is likely to be simply good and even if he were, we would not know that he is simply good if we did not have an independent standard of judgment. Experience is unable to supply us with moral and political standards; therefore the moral and political teaching must be strictly *a priori*. The second question which arises on the basis of the two points which I mentioned is: Is there a connection between the supremacy of practical reason and the new view of theoretical reason, the new view according to which reason is not receptive but projecting or constitutive? Now let us turn to one passage which is most important in this respect and that is in the section⁸⁸ on the⁸⁹ Paralogisms of pure reason, in the Transcendental Dialectic.

Reader:

Thought, taken by itself, is merely the logical function, and therefore the pure spontaneity of the combination of the manifold of a merely possible intuition—^{xiv}

LS: Let us stop here for one moment. I will explain only part of it. In all knowledge there is given a manifold, as it is called in the translation, a variety of sense-data, color . . . some other data. Now this manifold has to be united to become intelligible. This is the action of the spontaneity of the combination or connection of phenomena. That is the thing-in-itself.

Reader:

The proposition "I think," insofar as it amounts to the assertion "*I exist thinking*," is no mere logical function, but determines the subject (which is then at the same time object) with respect to existence—^{xv}

LS: Let us stop here. We don't need more than that. I'm sorry. We need the last sentence of the preceding paragraph.

Reader:

If, on the other hand, I would be conscious of myself simply as thinking, then since I am not considering how my own self may be given in intuition, the self may be mere appearance to me, the "I" that thinks, but is no mere appearance in so far as I think; in the consciousness of myself in mere thought I am *being itself*, although nothing in myself is thereby given to thought itself.^{xvi}

^{xiv} Smith, 381; [B 428]

^{xv} Smith, 381; [B 429-430]

^{xvi} Smith, 382; [B 429]

LS: I will try to explain what this is about. [Laughter] You remember perhaps the old story of Descartes, who believed he had discovered an absolute certainty in “I think, hence I am.” Since “I am” as a thinking being and merely as a thinking being, but since thinking can be the action only of an incorporeal being, I know that I am as an incorporeal being, as an incorporeal substance.⁹⁰ [From] this it would seem to follow the immortality of myself as an incorporeal substance, although Descartes was shrewd enough never to try to prove the latter point.⁹¹ But others lacked Descartes’s caution and therefore that was one of the famous proofs of the existence of the immortality of the soul, to which Kant says there is no question that the most fundamental phenomenon is the “I think.” The “I think.” This however does not entitle me to say I know myself as a thinking and therefore incorporeal or immaterial substance. That is the meaning of this old discussion. I am not now interested in this aspect of Kant’s criticism of the proof of the immortality of the soul. Let us turn to the paragraph after the next.

Reader:

Should it be granted that we may in due course discover, not in experience but in certain laws of the pure employment of reason—laws which are not merely logical rules, but which while holding *a priori* also concern our existence—ground for regarding ourselves as legislating completely *a priori* in regard to our existence, and as determining this existence, there would thereby be revealed a spontaneity through which our reality would be determinable, independently of the condition of empirical intuition.^{xvii}

LS: The only point which I ask you to keep in mind of the preceding sentences, which are . . . is this: thinking as such is characterized by spontaneity, spontaneity as opposed to receptivity. The color-patches⁹² [are] not our activity; we receive them. The combining of the color patch and the sound . . . to the thing and its qualities, that is an act of the spontaneity of reason. And this spontaneity of reason is the same fundamentally as the fact that our reason is projecting and constitutive and not passive or receptive. Now Kant here refers to another phenomenon, namely, to the moral conscience⁹³. In the case of morality Kant says we are likely to make . . . this spontaneity of reason is the reason why the human understanding prescribes nature its laws.⁹⁴ In other words, reason projects the possible object of experience. The actual objects depend of course on sense data. The possibility of universally valid laws of nature depends on such a primary project of reason. This applies to theoretical [reason]. Now what is the case with practical reason? In practical reason we are also legislating. We are legislating, however, in regard to our own being only, not in regard to dogs and cats. But we are legislating entirely *a priori*. There is⁹⁵ no necessity of supplementing the dictates of our practical reason by experience. The command that “Thou shalt not kill” in *Exodus*, for example, is perfectly clear without any distinction. You do not have to say: Let me make a distinction between some individuals whom I might and others whom I might not kill. And so this kind of interest does not enter at all. What I am driving at is this: the Ego, the I, as legislating with a view to possible experience, cannot determine without experience. It can only give the general outline. The Ego, as legislating in regard to itself, cannot possibly be based on experience because it is fully determinative in itself. This is the outline of the answer to the question which I raised before, [of] whether there is a connection between the supremacy of practical reason and the novel view of theoretical reason.

^{xvii} Smith 382; [B 430]

We can state this now as follows. Kant asserts, in the first place against Hume but in fact against the whole tradition, the spontaneity of reason. Now spontaneity is a term with a long prehistory and the classic passage occurs in Aristotle's *Ethics*, book 3, where Aristotle makes a distinction between spontaneity, which also all animals possess, and choice, which only man possesses. This distinction was somehow, I believe, in Kant's mind when he spoke of the spontaneity of reason. The spontaneity of reason is some[what] lower than choice or freedom. The spontaneity of the understanding gives rise to the phenomenal world as a determinate world. It is a *kind* of freedom. Our theoretical knowledge is based on a kind or, if you want, on a shadow of freedom. The true freedom is the freedom of morality. But there is a connection between the assertion of the supremacy of practical reason, which implies the supremacy of freedom, and the new understanding of theoretical reason. Theoretical reason is itself an exercise of freedom in its spontaneity—

[change of tape]

—but there are certain very broad things which we must understand even if we have no interest beyond that in Kant or in philosophy at all . . . Let us assume that we have understood that on certain premises it was necessary for Kant to distinguish between the phenomenon and the thing-in-itself, and the simple basis for this was, I believe, the true necessity of a strict deterministic system and the impossibility of understanding morality on a deterministic plane. That must always be taken as the starting point, Kant says. So if the world of modern physics or the basic physics of Kant's time is *the* world simply, there could not possibly be morality. Therefore Kant is trying to show that the world as known theoretically is only the world as it appears, as distinguished from the world as it is in itself. But there is a great difficulty here. The thing-in-itself is unknowable, Kant says. But given this, how can it be said to be or [to] exist, if it is unknowable? That is the simple difficulty which I referred to the first time. One can say that the development after Kant suffered from this difficulty as well as from some others.

Now we come back to a question which was raised by Mr. Hawkins some weeks ago. What about the thing which Kant is doing in the *Critique of Pure Reason*? He discovers here a structure of reason itself. This innermost structure of reason is not mere phenomena nor is it Kant's thing-in-itself. The basis of that is obscure. Would it not make sense to say this innermost structure of reason—or to use a stronger, more exact expression, the transcendental subjectivity, the fundamental acts by which reason constitutes the experienceable unit—that this is the thing-in-itself? Let us drop God and immortality, to put it very bluntly, which Kant postulated and let us see in this transcendental subjectivity the thing-in-itself and therefore, in a way, God. Of course that requires other radical changes and as a result of this change we can say we have the Hegelian system. For Hegel, the thing-in-itself *is* knowable, known, perfect. The adequate understanding of human reason is *the* absolute knowledge, *is the* highest metaphysics. It is a metaphysics which has nothing to do any more with incorporeal substance. It is based, according to his claim, at every point on phenomena accessible to our experience. But it lays bare the inner connection of all elements of our experience, and that *is* the thing-in-itself.

Now I will try to state this a bit more precisely. In Kant there are two kinds of postulates of practical reason: the immortality of the soul—I disregard now the problem of God—⁹⁶but there

was also, as we shall see next time, a kind of postulate of infinite progress towards the perfect political order [which is] also a moral postulate. That has something to do with the question of Kant's philosophy of history. Why did Kant make these two kinds of postulates, the immortality of the soul and infinite progress towards the perfect political order? Because he made a distinction between the moral progress and institutional progress. The progress towards the perfect political order is not in itself a moral progress. It is a morally desirable progress but not a moral progress. Man can live in a perfectly just society, according to Kant, and can have the morality of devils.⁹⁷ So the perfect political order⁹⁸ is morally desirable but not in itself moral. It would be moral if all its members were moral, but that of course depends entirely on the free act of the individuals. Therefore Kant is really compelled to make such a distinction which finds its expression in moral progress and the immortality of the soul, but one [that] still has the possibility of changing and that is not cut off brutally by that. But on the other hand, this institutional progress is morally demanded, but that is not the same as moral progress. In other words, institutional progress as Kant sees it as morally desirable but not fulfilling the demands of morality, is strictly speaking lifeless—I mean, lacking moral life. Necessities of all kinds, of a prudential nature we can say, will bring about or may bring about a perfectly just society. But there is no morality required for that. In itself it is a lifeless thought.

Now in a way this was the starting point of Hegel. Hegel tried to prove that this progress towards the perfect social order is necessarily a moral progress too. Hence he had no use any more for the immortality of the soul; that's dropped. But while this has many advantages and recommendations in the eyes of most modern people, it has one great disadvantage, namely,⁹⁹ there is a danger in assuming a fundamental harmony between institutional perfection and moral perfection. The simple word for that danger is philistinism, self-satisfaction that one lives in a particular society and acts according to its laws and [that] orders its members, and that can go together with being . . . At any rate,¹⁰⁰ this difficulty, the Hegelian solution (and quite a few other reasons), led to a revolt against Hegel after his time and led to a return to Kant, and the most effective form of this return to Kant today is existentialism, and I would like to explain this briefly.

To return to Kant. Kant meant¹⁰¹ to re-assert in one way or another the distinction between the phenomenon and the thing-in-itself. But it was impossible to say [that] the thing-in-itself is unknowable, because that is really not a tenable position. Therefore existentialism asserts that the thing-in-itself is knowable in a sense. There is an awareness of it, but this awareness includes the realization that the thing-in-itself is essentially elusive and cannot possibly be fully understood or intellectually controlled. This thing-in-itself is what is called existence. That this is so is shown by the statement of the greatest man who has been connected with existentialism, Heidegger.¹⁰² The simple formula of Hegel for this thought is: the substance is the subject. I cannot go into that now, but substance is Spinoza's term and subject is Kant's. The substance is not matter. The substance is the subject. For Heidegger the substance is existence. From this point of view it would be very interesting to have a look at Heidegger's interpretation of Kant,^{xviii} but I believe that it would lead us too far and would go much beyond what we can do now here. We have to

^{xviii} See, e.g., *Phenomenological Interpretation of Kant's Critique of Pure Reason*, trans. Parvis Emad and Kenneth Maly (Indiana University Press, 1997) (based on Heidegger's 1927-28 lecture course) and *Kant and the Problem of Metaphysics*, trans. Richard Taft (Indiana University Press, 1997); also known as the *Kantbuch*. Originally published in 1929.

find now a link-up to the subject of our next meeting, namely, Kant's writings on the philosophy of history, and here that would be more easily intelligible to all of us . . . that Kant admitted the possibility and the necessity of a philosophy of history, but¹⁰³ [it] does not form a part of his system. It is somehow marginal. The question is what prevented Kant from making a philosophy of history an essential part of his doctrine, and also what compelled him to admit its possibility. And the reason¹⁰⁴ for addressing these questions to Kant is our desire to understand somewhat better what is meant by this mysterious thing called history, because the investigation of Kant may throw some light on it.

Now one point to which I referred in my very brief summary is this. There was one great competitor to the philosophy of history or to the recognition of history as a central problem of philosophy: that was the immortality of the soul. That is, I think, in one way easy to understand. If men are chiefly or predominantly concerned with salvation or perfection in the life after death, their concern with perfection on earth is likely to be smaller. Perhaps that . . . but there seems to be some truth to it, that the concern with improvement of earthly institutions has become greater in proportion as the belief in immortality has lost its former power over large bodies of men.

But let us conclude in exactly a merely a sociological or historical tract that might . . . the question is this. Whatever we may think about the immortality of the soul, does this belief not embody an awareness of difficulties regarding progress, difficulties which became less visible after Kant himself in the nineteenth and twentieth centuries? That I believe is one subject we have to consider but there will probably be others. And it also has something to do with the issue I mentioned before in connection with Hegel. What about this essential cleavage between institutions and morality, or institutions and the spirit? Is it not an eternal problem which would even arise if all institutions were the best we could wish for? Was Kant not aware of this difficulty to a higher degree than Hegel and Hegel's half pupil, Marx?

This much about the questions which we should keep in mind for next time. I promise those who have been shocked by the things we have read today that next time it will be easier, and for quite some time it will be easier going.

[end of session]

¹ Deleted "knowledge of supra-sensible things."

² Deleted "now."

³ Deleted "Has someone been so good as to find out what the [inaudible] in the other edition is? Because I cannot do everything you know. I need some help, I don't want to waste too much time."

⁴ Deleted "Whoever has this can begin to read."

⁵ Deleted "Is this...."

⁶ Deleted "we know only...."

⁷ Deleted "whether that is."

⁸ Deleted "of phenomenal...."

⁹ Deleted "and he says that things..."

¹⁰ Deleted "that was not yet...assuming that it is not self-contradictory."

¹¹ Deleted "to which...."

¹² Deleted "in practical...."

¹³ Deleted "now I do not... we are...."

¹⁴ Deleted "if they can be...."

¹⁵ Deleted "Kant means by logical...what...."

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- ¹⁶ This question is nearly inaudible. One can therefore doubt the accuracy of this transcription.
- ¹⁷ Deleted "Whether...."
- ¹⁸ Deleted "Perhaps Kant would...."
- ¹⁹ Deleted "And...but...."
- ²⁰ Deleted "To think something...."
- ²¹ Deleted "That is...."
- ²² Deleted "to."
- ²³ Deleted "That is a...."
- ²⁴ Deleted "we must...."
- ²⁵ Deleted "this mere...."
- ²⁶ Deleted "the concepts of reason...."
- ²⁷ Deleted "a unity, a unity of the whole, that...."
- ²⁸ Deleted "we must...."
- ²⁹ Deleted "from...."
- ³⁰ Deleted "perhaps, we can...."
- ³¹ Deleted "say."
- ³² Deleted "raise...."
- ³³ Deleted "which would not have...."
- ³⁴ Deleted "you see...."
- ³⁵ Deleted "what does human...."
- ³⁶ Deleted "now if there is however...."
- ³⁷ Deleted "can."
- ³⁸ Deleted "in other words, for Kant...."
- ³⁹ This does not appear to be the name of a person so much as something like a school of thought. An external noise renders it inaudible.
- ⁴⁰ Deleted "he makes."
- ⁴¹ Deleted "but that..."
- ⁴² Deleted "so that we come...."
- ⁴³ Deleted "because... why...."
- ⁴⁴ Deleted "you."
- ⁴⁵ Deleted "we would get...."
- ⁴⁶ Deleted "says...."
- ⁴⁷ Deleted "Now let us assume...."
- ⁴⁸ Deleted "both."
- ⁴⁹ Deleted "terms...."
- ⁵⁰ Deleted "man has to be looked upon...."
- ⁵¹ Deleted "that if you are confronted with."
- ⁵² Deleted "He used...."
- ⁵³ Deleted "where we can...."
- ⁵⁴ Deleted "but that would...."
- ⁵⁵ Deleted "In other words, you do not have...."
- ⁵⁶ Deleted "Now but let me see where... let us assume...."
- ⁵⁷ Deleted "they say...."
- ⁵⁸ Deleted "alright...."
- ⁵⁹ Moved "especially."
- ⁶⁰ Deleted "But science...."
- ⁶¹ Deleted "alright."
- ⁶² Deleted "there is no...."
- ⁶³ Deleted "not."
- ⁶⁴ Deleted "Alright... this option is really the...."
- ⁶⁵ Deleted "Alright...."
- ⁶⁶ Deleted "that."
- ⁶⁷ Deleted "but."
- ⁶⁸ Deleted "came out...."
- ⁶⁹ Deleted "of course has perfectly...."

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- 70 Deleted "in...."
- 71 Deleted "There was...."
- 72 Deleted "he was not...."
- 73 Deleted "in Kant the problem."
- 74 Deleted "on cannot do away...."
- 75 Deleted "and so...."
- 76 Deleted "understanding."
- 77 Deleted "the perfect...."
- 78 Deleted "because there is...."
- 79 Deleted "you know, *aufheben* means...."
- 80 Deleted "somehow do not...."
- 81 Deleted "now what..."
- 82 Deleted "the dogmatism...."
- 83 Deleted "I think we must now...."
- 84 Deleted "but very still...."
- 85 Deleted "So we must...."
- 86 Deleted "about the...."
- 87 Deleted "we have seen...."
- 88 Deleted "in the Dialectic...."
- 89 Deleted "the section on."
- 90 Deleted "and therefore."
- 91 Deleted "But still...."
- 92 Deleted "that is...."
- 93 Deleted "the moral."
- 94 Deleted "Kant...."
- 95 Deleted "no possibility of supplementing."
- 96 Deleted "There are two kinds of postulates of practical reason; first the immortality of the soul."
- 97 Deleted "That is...."
- 98 Deleted "can be...is...."
- 99 Deleted "if there is a fundamental harmony...."
- 100 Deleted "this point..."
- 101 Deleted "to assert...."
- 102 Deleted "Hegel had said...."
- 103 Deleted "this philosophy of history."
- 104 Deleted "this question...."

Session 5: April 14, 1958. *Idea for a Universal History*

Leo Strauss: One difficulty which you raised particularly struck me, namely, the problem created by the achieved perfection. Is this a real problem for Kant?ⁱ

Student: I don't think it is a real problem, because . . . what is the status of this end? Is it something that is liable to be achieved or is there a fixed terminal point of the progress?

LS: Then what does Kant say about this?

Same student: It appeared from several indications that there is not. For although beings on other planets might expect to find their fulfillment in this life . . .

LS: That is irrelevant. Very simply, the goal is infinite in the sense that it can never be achieved. So therefore the trouble which could arise [is that] the assumption of the achievement of the goal does not exist, according to Kant. The conditions for it could never be completely fulfilled. So this problem does not arise in Kant. It does arise in Hegel.

Now as for¹ the second point you raised, the question you did not follow² through, and that was the relation between what you called on one occasion morality versus enlightened self-interest, and what one could also call more generally morality versus civilization, say, external civilization.³ What is your overall impression of what Kant teaches regarding these two things?

Same student: Well, my overall impression in this regard is that morality is not liable to be the vehicle which would bring about the world state. However, it seems rather unfortunate that it is not. If the enlightened self-interest of the rulers and of the ruled is the means for bringing it about then something is wrong with it, because he says⁴ that every supposed good which is not motivated by good intentions is a glittering pretense. So it remains somewhat the second best way of reaching . . .

LS: Well, why not leave it at that and say more honestly that this is a very great problem throughout the epochs,⁵ whether the perfect social order, as you have called it, is essentially also the perfect moral order. You would agree with that. The third question I would like to ask is this: what is the status of this teleology of nature which makes possible Kant's philosophy of history?

Same Student: The teleology of nature is, I believe, simply posited . . .

LS: Although you used a term which Kant himself uses. What is the status? An observation or what?

Same Student: It is a premise.

LS: Well, Kant has a special name for that. At the end you called it a hypothesis. No, that is not good . . .

ⁱ Strauss responds to a student's paper, read at the beginning of the session. The reading was not recorded.

Same Student: It is an *a priori* . . .

LS: *A priori*, yes. But a hypothesis as hypothesis is not enough. It could very well develop out of a certain probability on the basis of what is previously known. Previously known. What is the basis of that *a priori* assumption? I mean, if it is *a priori*, that means of course it is in no way arbitrary. It is a necessary assumption, a rationally necessary assumption.

Same Student: The basis for the assumption must be that with that assumption that regularities can be observed which seem to indicate . . .

LS: But regularities are observed all the time . . . without any assumption of a teleology. You must not forget this thing, sense experience, the so-called phenomenal world . . . That is characterized by absolute determinism, which means mechanistic determinations if mechanistic is the opposite of teleology. Only efficient causes, in the old analogy, but no final causes. Final causes cannot be used in scientific explanations, that is clear. That is understood by Kant. They have a certain function, ⁶not an explanatory function, but a heuristic function. An explanation is an explanation in terms of material and efficient causes. So in other words . . . the astronomer does observe regularities, but these regularities are of a deterministic, mechanistic kind. Here a teleological regularity is discovered. What is the character or the status of this *a priori*? The *a priori* underlying the scientific explanation is, you can say roughly, the principle of causality in the sense of non-teleological causality. But here we get another *a priori*. It must be a rational principle. Otherwise it would not be *a priori*. What kind of rational principle?⁷ There is only one alternative, at least in Kant. What kind of *a priori* is that? It can only be a practical or moral *a priori*. Crudely expressed, it is our moral duty to look at history. We shall go into the details later.

Now I would say . . . Now we have devoted four meetings, I believe, to Kant up to now, and a variety of points of view⁸ emerged.⁹ I was struck by the fact that you did not make use of any of them—I mean broad concerns. The first:¹⁰ Why does Kant become interested in the philosophy of history? To use the example of Plato, Plato's best polity—a very improper comparison, because that would be given by Kant's doctrine of the just society and of the just society of nations,¹¹ which he does in his philosophy of right, [and] that has nothing to do with philosophy of history. [Plato]ⁱⁱ can prove or demonstrate what the just society is without saying a word about history. Why must Kant, as distinguished from Plato, have a philosophy of history *in addition* to his political philosophy proper? Number one.

Same Student: Because Kant seems to see a progress in enlightenment . . .

LS: Well, all right, but then your solution is to say that in Kant's time everybody believed in progress, and Kant, being a son of his time, naturally also believed in progress. But the trouble is that Kant did not believe quite a few things which his other¹² contemporaries believed. Proof: the *Critique of Pure Reason*.¹³ We must try to see whether there was not a rational connection between Kant's innermost thought and the philosophy of history. We must describe it. I do not blame you, it is difficult, but I warn, and that was part of my address to the class.

ⁱⁱ Strauss says "Kant" here, evidently in error.

The second general question I raised at the beginning:¹⁴ whereas Kant is obviously concerned with the philosophy of history, this philosophy of history plays a somewhat marginal role. We have these three essays,¹⁵ to which can be added two other essays which are not available in this English translation: the “Criticism of Herder’s Philosophy of History,”¹⁶ in which we would find very little for our purposes; and the “Presumptive Beginning of Human History,” which is a rewriting of the first chapters of Genesis from Kant’s point of view, in which there are quite a few interesting things but still they are hardly productions for a teleological system. That is not the very heart, one can say, of his system. So why does Kant not elaborate that? What prevents him from doing, trying to do what Hegel did? After all, he could have developed such a philosophy of history. I notice Ranke writes a history of the Oriental world up to the eighteenth century, but this is a sketch and has nothing to do with it.

Now to come somewhat closer to the discussions we have had in the last few meetings, I will try¹⁷ to find an entry into Kant’s thought by speaking of the two crucial influences on Kant, Rousseau and Hume. Now Hume does not come in immediately here. That is clear. What about Rousseau? Does Kant mention Rousseau?

Student: On occasion. On two occasions before the last step, namely, the joining of the stages, “Rousseau was not so very wrong when he preferred the conditions of savages; [for it is to be preferred], provided one omits the last stage which our species will have to reach.”ⁱⁱⁱ That is towards the end of the seventh principle.

LS: By the way, Kant does not call them principles; he calls them propositions, which is perhaps somewhat better. In other words, Kant was not so generous with the use of the word principle as we are. In German, *Grundsatz* [means] principles . . . and if you want to translate literally, *Grundsatz* means a fundamental principle . . . In a way the most important part of the *Critique of Pure Reason* is called a *Grundsatz*, a fundamental principle not proposition. And so Kant was a bit more careful than we are today. So that is the seventh where he speaks of Rousseau?

Same Student: Yes, that’s right.¹⁸ He speaks of Rousseau twice in the seventh.

LS: So let us read these two passages.¹⁹ The first we can disregard; it is not very crucial.²⁰

Reader:

Before the last step, namely, the joining of the states, is taken, in other words, the half-way mark of mankind’s development is reached; human nature is enduring the worst hardships under the guise of external welfare, and *Rousseau* is not so very wrong when he preferred the conditions of savages; [for it is to be preferred], providing one omits this last stage which our species will have to reach.^{iv 21}

ⁱⁱⁱ Immanuel Kant, *The Philosophy of Kant; Immanuel Kant’s Moral and Political Writings*, ed. Carl Friedrich (New York: Modern Library, 1949), 126; [8:26]

^{iv} Friedrich, 126, brackets in Friedrich; [8:26]

That is one way of interpreting Rousseau, and probably the most influential. That was accepted by German idealism generally and is I believe today also the favored way of interpreting Rousseau.²²

The first two *Discourses*^v criticize the world as it is now, as it has been for a very, very long time, and measure it by the standard of the state of nature. An original happiness and goodness has been replaced by unhappiness and violence. Good. And that is terrible and there is no hope except to return to the state of nature. No, said Kant. The *Social Contract* and *Emile*^{vi} show us that there is a possibility of a good life, and a good society as a civil society and not the state of nature.

So until this democratic society of the *Social Contract* has been established, mankind is in a worse state than the savages. But once this has been achieved, then man has reached the highest form. In other words, it is not so as a common notion of progress, say [LS writes on the blackboard] here are the savages, then constant progress. On the contrary, it is rather this way: this is the state of nature, a hierarchy. Good. Well, that is the way in which Rousseau is frequently understood up to the present day. I read to you a passage from²³ [Kant's] *Presumptive Beginnings*²⁴ of the *History of Mankind*:

In his writings on the sciences and arts and on the inequality of man he shows quite correctly the inevitable antagonism of culture with the nature of the human race as a physical race, physical species, in which every individual should reach his destiny completely, but in his *Emile* and in the *Social Contract* and in other writings he is trying again to solve the difficult problem of how culture would have to advance in order to develop properly the faculties of mankind as a moral species in such a way that this would not contradict the human race as a natural species.^{vii}

What he means is this: there was harmony in the state of nature, harmony on the basis of non-development of morality. In²⁵ history as a whole there was disharmony between man's nature and man's culture. Man is torn in this state. One could use the Hegelian term in a somewhat slightly different meaning: the culture is characterized by the unhappy consciousness . . . the solution is the harmony between nature and culture, or a happiness of a higher order than the savage has. So perhaps by starting from Rousseau . . .

I do not know whether that will be sufficient from this remark about Rousseau which we just read . . . That would presuppose some knowledge of Rousseau's *Second Discourse* especially, and also the *Social Contract*, a knowledge which you do not necessarily possess and therefore I will cease.²⁶ However, the other point of view from which you could approach it is this: On the basis of some . . . passages in the prefaces to the *Critique of Pure Reason* and the *Prolegomena*, I tried to give an overall picture of Kant's philosophy, in other words, this conflict between the

^v *First Discourse* and *Second Discourse* is a common way of referring to Rousseau's *Discourse on the Sciences and Arts*, and *Discourse on the Origin and the Foundations of Inequality among Men* (also known as *Discourse on Inequality*), respectively.

^{vi} *Of the Social Contract* and *Emile; or on Education* are works by Rousseau.

^{vii} [8:116]; Strauss's translation.

thing-in-itself and the phenomenal world corresponding to the distinction between freedom and determinism. And²⁷ there is an utterly important criticism which we have to consider . . . misunderstanding each other. Please do not take this as a criticism of your paper, but only as an indication of the agenda at which we must aim. The paper can be first-rate without achieving this.

Now let us turn then to the reading.²⁸ The essay is called *Idea to²⁹ a Universal History in Cosmopolitan Intent*. The cosmopolitan intent is the moral intent. The moral intent. If there is a duty, a moral duty, to be a citizen of the world, then this may also imply the duty to look at history from a cosmopolitan view or, rather, in a cosmopolitan intent—namely, not only³⁰ to express your cosmopolitan views or intentions but also to contribute through your history to the establishment of a world community. That is what he means. Now this was written in 1784, that is to say it was published three years after the *Critique of Pure Reason*.³¹

Kant made a note to the type of this essay or treatise³² which apparently is not translated:

A passage among the brief notes of the twelfth issue of the *Gothaische Gelehrte Zeitungen* of this year, which was undoubtedly taken from my conversations with a scholar who passed through Königsberg, compels me to make this elucidation without which that note would not have any comprehensible meaning.^{viii}

In other words, some fellow visited Kant in Königsberg, had a conversation with Kant (apparently one [of] his spies, a publicist or however do you call it) and [he] told this to a journal,³³ who printed an interview with Kant about history. And Kant was shocked at the stupidity which was attributed to him and that induced him to write it. I mention this exclusively because it shows³⁴ that it depends on an accident that Kant wrote this note. That only confirms what I said before, that parenthetical or extraneous paradox of Kant's writings on the philosophy of history. How now then does Kant begin to—

Student: Do we have that note in that journal?

LS: No, I do not think so. I am not sure . . . what is the best edition of that? Either Vorländer's edition or the Cassirer edition, and whether that has any references.^{ix} I am not a Kant scholar; I am sorry, I cannot tell you.

Now history is, in the ordinary sense of the term, the narrative of human action, and these actions as human actions are actualizations of the free will. But since the free will is not a phenomenon proper, something observable, what we have are only the actions, phenomena of the free will, [which are] how the free will becomes observable in acts. Qua phenomena, these actions are determined according to general, natural laws. There is no freedom there, so much so that Kant could say that a perfect natural science, a completed natural science, which is of course impossible, could predict the actions of individual X with a certainty with which now astronomy

^{viii} [8:15]; Strauss's translation.

^{ix} Karl Vorländer (b. 1860) and Ernst Cassirer (b. 1874) were important neo-Kantians in Germany. Cassirer supervised Strauss's doctoral work.

predicts an eclipse of the sun or the moon. So these phenomena are determined according to general, natural laws. Hence one can detect a regular course of those phenomena.

Student: I don't understand that. How could there be a deterministic science of actions?

LS: Kant immediately explains that, namely, when he says if you look at the plane of the freedom of the human will, *en gros*, wholesale, you detect a regular order. That death . . . There is a question whether death is a voluntary action, so let us leave it at the suicide statistics and the marriage statistics. Here we can see why they all act freely. They could as well not have married and not have committed suicide. There is a strange regularity here. This shows that in spite of the freedom of the will itself there exists a possibility of a regularity of the phenomena, knowledge of causes. Or shall I say appearance from now on to avoid ambiguity? While the will is free and therefore actions of the will are unpredictable as such because everyone³⁵ at every moment, [is] free to act virtuously or viciously, it is by its very nature unpredictable.³⁶ But in spite of that appearance, how these acts of the free will appear to observation, this shows a strange regularity.³⁷

Kant compares³⁸ these appearances, marriage and suicide statistics and so on,³⁹ and there is a certain regularity; not like the certainty in astronomical phenomena but more like in meteorology, for example, as Kant points out, for the weather is not a hundred percent predictable as we notice every day, and yet a broad range is predictable.⁴⁰ For example, we do not expect it to be tomorrow 10 degrees below without any reason. 40 it could be, 80 it could be, but beyond this range it is extremely unlikely. And these statistics may be even a bit more precise than that.⁴¹

Now what happens if we look at suicide statistics? Because as actions of individuals the actions are free, but qua actions of an aggregate of individuals the actions follow natural laws. Now if we try to guess from here what a philosophy of history is, we would assume that history is⁴² an account of actions of aggregates and therefore follows laws. This observation is not entirely meaningless. You know that the so-called deterministic theories of history regard the individuals as secondary—both Hegel and Marx and quite a few others. The real things are the changes of bodies of man, aggregates loosely . . . so that when Marxists discuss the question of whether Lenin had not been permitted to travel through Germany, or also could have had an apoplexy or what not, would the October Revolution have taken place—⁴³they do not like that question particularly. And Trotsky says, for example, that the October Revolution would not have happened, but an equivalent would have happened sooner or later.^x In other words, that is something accidental, what individuals do. When the situation is ripe for something⁴⁴ the individual will appear sooner or later, is *bound* to appear sooner or later. So.

Now there is one point. The deterministic view in general does not imply necessarily a philosophy of history, obviously. Think of Hobbes and Spinoza. History may very well be determined; each act of recorded history might be fully determined, and therefore [there] would be no historical determination. Do you see what I mean by that? How would Hobbes develop that? Or Spinoza? He would say of course [that] every action is determined, every human action,

^x Strauss might be referring to “In Defence of October,” a speech delivered by Trotsky in Copenhagen in November 1932.

but that does not mean that each period of human actions [is in any way meaningful or regular]. [LS writes on blackboard] Say, here [an] action, and that acts as the cause maybe of another action, and so on.⁴⁵ The regularity consists in certain, say, psychological laws or whatever it may be. But the outcomes . . . there doesn't have to be . . . There is regularity; all human types are driven by the same passions. And if these passions, say, have a certain force and an opportunity sufficiently great, one can predict what this fellow will do given the situation. But that there should be a pattern, a meaningful pattern, does not follow at all. In other words, determinism is perfectly compatible with the fact that history is a mess, and that there are accounts of crimes and follies with very few wise and decent actions in between is perfectly compatible with determinism as such. But it must be a particular determinism.

But we see already an indication of what Kant is trying to do, because Kant insists on⁴⁶ freedom by saying that the cases of individuals and of aggregates of individuals are different. But that is not sufficient . . . The individuals are free; therefore, no predictability. And yet on the whole there are such natural laws regarding free actions such as Kant has mentioned. There is therefore the possibility somehow that a natural purpose of which we are not sufficiently aware, and for which men do not care, works through these actions. There is no human plan. That is certain. There is no evidence of that in the series of actions of different individuals. But perhaps there could be a plan of nature. The argument is based on the premise which Kant makes here of a natural teleology as distinguished from natural laws, i.e., causal laws.⁴⁷

Student: I was wondering whether, according to Kant, what individual X will do is radically unpredictable, that is . . .

LS: Yes, sure.

Same Student: . . . if it occurs in the realm of phenomena doesn't it have to be mechanistic and deterministic the way all other phenomena are?

LS: If we have sufficient knowledge, yes. But we do not.⁴⁸ Every social scientist in a more or less complicated form tells you [this] today. I mean, for example, certain neighborhoods are conducive to juvenile delinquency, but that does not mean that every boy living in [or] coming from a broken home or living in a slum will become a delinquent, or that every boy brought up in a non-broken home and in a non-slum area will be a good boy. So⁴⁹ you can only say that the prospects, the percentages are much higher in the first case than in the last case but which individual falls into which you cannot say.

Student: . . . possible to avoid punishment?

LS: Kant would say that was an absolutely impossible imputation. There may be one or more among them who do it because they want to become good soldiers and to be able to fight for their country. That is absolutely silly. I do not think Weber ever said that. The S.S. men said⁵⁰ that—S.S. here means social scientists, not . . . [laughter]. Weber never said that, because the same actions can be produced of course morally, and immorally, or non-morally. And morally would mean it is his duty to obey; non-morally or immorally would mean he only cedes to superior power. And even in that case, there are sometimes people who get—⁵¹how do they call

it today—a neurosis?⁵² You know, they get in a way crazy; they just cannot stand this being bossed around and they spit in the sergeant's face. This is very rare but it is possible. I read another example in Trotsky, by the way, when he spoke⁵³ about the tremendous famine in wartime Russia in 1917, and used as an explanation for the complete demoralization, the unwillingness to fight, and he said: Well, in the civil war period after '18 there was still greater famine, and that large bodies of troops who were completely demoralized in '17 fought well on the basis of a smaller amount of food in '18. So in other words, these things, you know, the lower limit—there is obviously a physical limit beyond which you cannot go⁵⁴ [in] being able to fight or walk around, but that is very hard to determine, where it lies. But the usual problem is not that of the complete absence of food and other things, but the limits are extremely large.

Student: . . .

LS: Yes,⁵⁵ but to repeat, Kant goes much beyond these people when he says that it is theoretically possible to predict every action. Now⁵⁶ whether modern theories of motivation are more useful to [make] predict[ions] than these commonsensical hard-and-fast psychologies which people like Machiavelli used is to me an open question. Let us assume we have made progress⁵⁷ in predicting actions⁵⁸ beyond what was possible a few hundred years ago. It would still of course always be imperfect, admittedly. And as Kant put it, only a completed science could predict every action of every individual. Kant not only admits it but emphasized that.⁵⁹ From Kant's point of view the S.S. men^{xi} should go on and do their worst [laughter] and that would simply mean that our actions *qua* observable actions are absolutely predictable. And Kant contends—and this is one of the greatest difficulties in Kant—that this does not do away with a fundamental freedom which as such can never appear. We cannot go into that question now. When we come to the *Fundamental Principles Of Morals* then we must take it up.

Student: . . .

LS: Yes. You see, you can say that this is statistically not important, but I have heard of people who wanted to do something improper or criminal . . . and there was a wonderful opportunity and a very strong motive . . . and a practical certainty of never being detected, and so complete determination. And then they say: I can't do it. That happens. [Laughter]⁶⁰ That this could happen of course is a strange thing,⁶¹ but that is Kant's beginning: every man can do that.⁶² That has nothing to do with special gifts. That is what he means by it. And if this is so, how is it possible?⁶³ How is it possible to make predictions in things of any moral concern? I am not speaking now of what people are likely to eat. Even smoking, you could rightly say, is a vice. That is a perfectly defensible position and there are people I know, to my great sorrow, who simply cannot say no. I too can, but in another way I cannot. [Laughter] Look, let us assume that given that this is the case.⁶⁴ What is the implication, the *implication*, of any prediction regarding cigarette consumption next year? There is a problem here. It could be that next year no one would smoke.⁶⁵ To show how this would make sense, let us assume that real proof were forthcoming that this [smoking] is certain to lead to a most powerful kind of cancer; I think the sale of cigarettes would [decline]. Unfortunately, the chances that this would happen on the basis of the moral, that it is a form of luxury of whatever you call it, is much smaller. That is quite true, but we cannot go into that question. We will take it up in another context. I do not believe

^{xi} A.k.a. "social science men."

that Kant solved that problem, I would say that right away. But we must keep to our immediate subject which is the understanding of Kant's thoughts regarding philosophy of history.⁶⁶ We must simply go on first and get some more material. Now in the second proposition there are a few remarks of some importance.

Student: There seems to be something wrong with the translation of the first one.

LS: Yes, I couldn't tell you because . . . Where is it exactly?

Student: In the second to last sentence of the first paragraph⁶⁷ [of the introduction].

LS:

Individual human beings, and even whole nations, think little of it that while they proceed, each according to his bent, or his intention, according to his opinion, and frequently one against the other, they follow unwittingly the intention of nature which is unknown to them as a guiding thread, and they work at the achievement, or promotion, of that end, which promotion, even if it would become known to them, would be of little concern to them.^{xii68}

I'm sorry I cannot give a perfect translation.

Student: In the translation there is the word "rare."

LS: That is not in the text somehow.

Student: "Rarely" appears there. "Rarely unintentionally."

LS: No, "*denken wenig daren*." It means little,⁶⁹ [but] barely would be much better.⁷⁰ Now, let us go on to the second proposition

There is perhaps . . . man is a being who cannot reach his perfection during his lifetime. If the human race is to reach its highest development of the faculties that can be done only in a sequence of generations [as Kant puts it—LS] in a perhaps unsurveyable sequence of generations—.^{xiii}

[change of tape]

Reader:

because otherwise the natural faculties would have to be considered largely pointless and in vain. This would vitiate all practical principles, as it would suggest that nature, the wisdom of which serves as a principle in judging all other

^{xii} [8:17]. Strauss's translation.

^{xiii} [8:19]. Strauss's translation.

natural arrangements, would have to be suspected of childish play when it comes to man.^{xiv}

LS: You see here the practical motivation. Practical means always moral. It is incompatible with a consistent morality *not* to assume that nature has an intention with man and that therefore, given this fact—and now comes the minor—man is not a being which can . . . fulfill his intent in his lifetime.

Let us turn immediately to the note to the sixth proposition which is of crucial importance.

Reader:

The rule of man is therefore very artificial.⁷¹ We do not know how things are arranged with the inhabitants of other planets and their nature but if we execute this mandate of nature well we may properly flatter ourselves that we occupy a not inconsiderable position among our neighbors in the cosmos. Perhaps with these neighbors each individual can achieve his destiny in his life. With us mortals it is different:—

LS: Not “mortals”; they are also mortals . . .

Reader: “only the species can hope to do so.”^{xv}

LS:⁷² In other words, nature could very well have made us, or the Martians, such that each individual reaches his perfection in his lifetime.⁷³ But as a matter of fact she did not. It is an empirical fact that our lifetime is so short: 60, 70, 80 at the most. Therefore this empirical fact is the minor of this syllogism.⁷⁴ Nature has an intention, but in the case of man this intention cannot be fulfilled in the life of the individual. Hence it was the intention in the case of man that perfection will be achieved through the sequence of the generations. So that is an important point.⁷⁵ The teleological principle is *a priori* but now we have here an empirical premise, an empirical premise, which then leads to proposition one. Now what is the importance of that? Let us read⁷⁶ the end of the fourth proposition first.⁷⁷

Reader:

The natural impulses, the sources of asociability, the continuous resistance from which so many evils spring, which at the same time drive man to a new exertion of his powers and thus to a development of his natural faculties, suggest the arrangement of a wise creator and not the hand of an evil spirit who might have ruined this excellent enterprise or spoiled it out of envy.^{xvi}

^{xiv} Friedrich, 118; [8:19]

^{xv} Friedrich, 123n; [8:23n]. In original: “these neighbors an individual can achieve his destiny in his own life.” Strauss corrects the translation as the passage is read. The above reflects Strauss’s emendations.

^{xvi} Friedrich, 121; [8:21-22]

So you see again the practical moral motivation. If there were no natural purpose, then⁷⁸ a theoretically possible creator would be a devil; but that there is a wise creator must be postulated on moral grounds. So⁷⁹ the whole teleology of nature rests on moral grounds, that we must never forget, which discredits it today in the eyes of most . . . but perhaps it is not so simple . . . let us wait.

I am now concerned with drawing one conclusion. The whole philosophy of history rests on proposition two, of course, that there is a sequence of generations; because if each individual would achieve his perfection in his lifetime there would be no need for a historical process. But that this is so . . . depends on the empirical premise that man's life is a short one and not that of Martians who live perhaps five-hundred years. We do not know. It is possible that there are such people in other galaxies. How do we know? Kant certainly could not know.

Now what does this mean? It means that a philosophy of history resting implied on empirical presuppositions cannot be a truly rational doctrine, [an] *a priori* doctrine. Hence Kant did not elaborate a philosophy of history.⁸⁰ I do not say that that is the whole reason but it is a reason important enough. Whereas the existence of God and the immortality of the soul are according to Kant necessary postulates of moral practical reason, the reasonableness of history⁸¹ cannot have the same status, because it implies this crucial empirical premise. That is the first point we have to note.

Now let us turn to the third proposition. Man is destined by nature, is destined to owe his happiness or perfection to his reason, i.e., not to his instincts as brutes, and that is empirically proven by the fact that man⁸² does not have the marvelous instinctive system which brutes have regarding food and other matters. Man⁸³ was meant by nature to owe his happiness to himself. He was meant to be a free agent and therefore to be a rational agent.⁸⁴ Kant corrects therefore his statement. Men should owe not so much his happiness to his . . . as his worthiness to be happy, for man cannot guarantee his own happiness. It depends on all kinds of accidents, but man can⁸⁵ make himself worthy to be happy. Yet as is also indicated here, on earth there can of course be only a very limited form of happiness, as he mentions here.

There is, however, one difference, which has frequently been repeated since, against the idea of progress.⁸⁶ The second sentence from the end of proposition three.

Reader:

However, it remains perplexing that earlier generations seemed to do their laborious work for the sake of later generations in order to provide a foundation from which the latter can advance the building which nature has intended. Only later generations will have the good fortune to live in the building, but however mysterious this conclusion may be it is nevertheless necessary if one assumes that an animal species is to have reason and is to arrive at complete development of its faculties as a class of reasonable beings and die while their species is immortal.^{xvii 87}

^{xvii} Friedrich, 119; [8:20]

What follows from that? Of course that the species is immortal is a somewhat dubious assertion from Kant's point of view, because it would presuppose the infinite duration of this universe in the future. Otherwise people could not properly be called immortal, only in an improper sense.⁸⁸ So in other words, there remains a problem here. We have here a theme in the philosophy of history which condemns many, many generations of men to unhappiness so that later generations may be happy. That remains perplexing. Is this fair? Is this just? How does Kant get out of this difficulty? Can it be solved? Kant says it is necessary, given these conditions, that man was supposed to work his way up from a primitive state of nature to civilization and culture, and that had to be. But why not create man like Adam and Eve, that is to say, in a state of abundance and of the perfect development of their faculties and not compel man to work himself out of a kind of original slime?⁸⁹ How does Kant get out of that? He does not solve it here; he only states it.

Student: The possibility that nature might be more concerned with man's self-respect than his well-being?

LS: What about these poor fellows?

Student: They are doing⁹⁰ this work for later generations.

LS: They did not even know that, they didn't have this comfort that they knew it. We today could say, well, although we suffer, and even if we are atomically bombed, we could still say that this is necessary so that the world state will finally arrive. So we have some comfort in the Cold War. But what about these poor people in earlier times?

Student: I think one of the underlying dangers is that this perfection of man has to be created by man himself, and you have to require an . . .

LS: But you repeat only the statement of the problem. You have not found the solution.

Student: . . .

LS: But, as Aristotle says, mankind cannot be happy or unhappy; only individuals are.

Same Student: You don't have the same kind of determinism within the individuals as you do with mankind and . . .

LS: How does this help? I am surprised at the lack of theological imagination, if I may call it that.

Student: The immortality of the soul?

LS: The immortality of the soul, of course. I am trying again and again to see, and I think it is necessary to see why Kant hesitated regarding philosophy of history. Kant has—that is my hypothesis—a suspicion of fundamental defects of philosophy of history . . . Now that is a purely historical point, but think of one simple thing: as we shall see very soon, perhaps today, we have in these eighteen pages the first outline of what about sixty or seventy years later became *The*

Communist Manifesto. So the problem is with us—is with us—the problem regarding expectations from history. And therefore that must . . . an entirely different solution to the human problem.

Student:⁹¹ Since man's life is too short for him to reach a perfection,⁹² then society must be able reach perfection if there is going to be any at all . . .

LS: Yes, but again, what about the individual? You must not forget that the great criticism of Hegel by Kierkegaard and other men who thought about . . . was always this: What about the individual? I mean, that the individual is used by the world spirit for extremely wise purposes is perhaps not a sufficient solution, especially for those individuals who are not so wise as to know it.

Student: Why should this idea of the immortality of the soul⁹³ keep Kant from a philosophy of history?

LS: Not “keep.” I mean, that would be a wholly improper historicist explanation . . . The immortality of the soul seemed to him a rational solution to the problem of the disproportion between morality and happiness. There is nothing original about this idea; Kant only restated it. Now knowing this, that there is a perfect solution which cannot be known but which must be believed at all costs, he had of course lost freedom to see any possible defects in a purely this-worldly version of happiness. That is the problem of morality and happiness. He could admit⁹⁴ to himself what others could not admit . . .⁹⁵ do not think that this is the only point, but I think it is one of the most important.

Student: Does Kant make God not subject to the moral law, because in this case God would be using men as means, at least temporarily?

LS:⁹⁶ Let us say, because it is not entirely wrong to say, of course God is subject to the moral law.⁹⁷ Kant's God is a moral God, a just God. But the moral law does not forbid the⁹⁸ use of men as means. It only forbids to use them only as means.⁹⁹ Because even these people who have no knowledge whatever of this progressive movement¹⁰⁰—if they have a good will and make a serious effort to live well within accordance with that good will, [they] can justly hope for immortality.

Student: Would you say that according to Kant¹⁰¹ these earlier generations which labor on behalf of the later ones deserve less than the later ones because they are not as human yet?

LS: That's a hard question.¹⁰² We will come to a passage where he at least indicates this problem of men's becoming . . . of X becoming a man, and let us perhaps take this up in that connection. Do not forget it.

Student: . . .

LS: I believe that is more Dostoyevsky than Marx. But I would simply say this, that from every Marxist's point of view—whatever they may make of him now, it is not orthodox Marxism

[laughter]—but they would say this: there is such a thing called the realm of freedom . . . which comes at the end. Now the realm of freedom¹⁰³ [is that] state in which every man can fully develop his faculties. Fully develop his faculties. But he can do it only in and through living together, through full cooperation as a wholly socialized being. That is essential. Where is sacrifice in that? Sacrifice¹⁰⁴ belongs only to the realm of necessity.¹⁰⁵ What is possible are some very daring actions, say, in a super-duper Sputnik going to the next galaxy, which requires particularly courage, I suppose, and that cannot be expected from everyone. That is just fine, but sacrifice in this sense, killing—there would be no killing, because such criminals will [not], cannot appear in a free society, and if they do they will be—well, the problem is simply to take care of them, as Lenin puts it. Maybe by that time they will have become reconciled to psychoanalysis and will send them, the criminals, to psychoanalysts, but I don't know. But this sacrifice has no place there. That is, I think, very Russian, that you must sacrifice your soul.¹⁰⁶ Let us forget about that.¹⁰⁷ We will come to Marx very soon but we must proceed in an orderly fashion.

Now Kant goes on in the fourth proposition to this sentence.

The means for bringing about . . . the end, [and] the end is the full development of the faculties of man which can be achieved only at a very advanced stage and can never be fully achieved if there is to be infinite progress. Now but the means for bringing about the development of man's faculties is the antagonism implied in man's unsocial sociality.^{xviii}

As Kant puts it, man has a social tendency. Man has not a social nature, of course; that is impossible. Man has a propensity to enter into society—notice that, line 6 or 7. The old Lockean formula: man is not a social animal. But on the other hand, man has an inclination¹⁰⁸ *sich zu vergesellschaften* (this is really Marx's own term), to socialize himself. He has a propensity. But on the other hand he also has a strong propensity to isolate himself. That is his antisocial or asocial inclination or propensity. And¹⁰⁹ from this antisocial propensity there follows an antagonism: the war of everybody against everybody, if it is thought through. But that is an impossible condition, as we know from Hobbes and Locke.

To what does this point? To what does this war, [this] universal antagonism, point? To peace. But Kant says more precisely: to a lawful order of society. To a lawful order of society. That is the only solution of such an antagonism, Hobbes and Locke report. Now this antagonism, this quarrel, that is crucial. The development can take place only by virtue of an antagonism.

Now let us compare that very simply,¹¹⁰ very shortly, with a simple progressive scheme.¹¹¹ What is the vehicle of progress according to the simple progressive scheme? In other words, what does it bring about?

Student: It's just a simple line of causality, intellectual progress, ever higher.

^{xviii} [8:20]. Strauss's translation.

LS: Enlightenment. Enlightenment. Ever-increasing knowledge and its ever increasing diffusion. Kant says no, antagonism, something which has nothing to do with reason. Again, let us look forward. How did the fellows at the end of the development call it?

Student: Class struggle.

LS: Class struggle, sure. The class struggle is¹¹² [a] developed version of what Kant calls here antagonism. And here Kant says in a criticism of a certain sentimental Rousseauan notion, in this proposition, which we should read.¹¹³

This resistance, which arouses all powers of man, compels him to overcome his propensity to laziness, and driven by ambition, desire to lord it over, or avarice, to make for himself a rank among his fellows, whom he can't stand very well, but on the other hand, from whom he can't get away very well either.^{xix}

That is the social asociality.^{xx} We are half-pathologically—and not in the sense of Freud but in the sense of Kant, as it were—by our passions bound to our fellow man. We need them for our passions and desires.

For example, take prestige . . . A man who is concerned with prestige is concerned with his fellows. He is in one way extremely social. He cannot get what he wants except in and through men. And¹¹⁴ at the same time, he even calls everyone an enemy because other men's prestige excludes his. That is the situation of man . . .

Reader:

Thus the first steps from barbarism to culture are achieved; for culture actually consists in the social value of man.¹¹⁵ All man's talents are gradually unfolded, taste is developed. Through continuous enlightenment the basis is laid for a frame of mind which, in the course of time, transforms the raw natural faculty of moral discrimination into definite practical principles.^{xxi}

LS: In other words, man is born as man with a raw natural faculty to moral discrimination, but¹¹⁶ that is not yet full morality. Full morality requires definite practical principles.

Reader: “Thus, a *pathologically* enforced co-ordination of society—”

LS: Pathological means by the passions.

Reader: “finally transforms it into a *moral* whole—”

^{xix} [8:21], Strauss's translation.

^{xx} More commonly referred to as “asocial sociality.”

^{xxii} Friedrich, 120-121, italics in Friedrich; [8:20]

LS: *Can transform it. Can transform it. There is not a necessity that the moral whole will come about. There is a necessity for the social heaven coming about but not the moral.*

Reader:

Without these essentially unlovely qualities of asociability, from which springs the resistance which everyone must encounter in his egoistic pretensions, all talents would have remained hidden germs. If man lived an Arcadian shepherd's existence with harmony, moderation, and mutuality, man, good-natured like the sheep he is herding, would not invest his existence with greater value than that his animals have—

LS: That is,¹¹⁷ domestic cattle.

Reader: “man would not fill the vacuum of creation as regards his end, rational nature.”^{xxii}

LS:¹¹⁸ So you see that is Kant's criticism, in a way a criticism of Rousseau's idyllic notion of that primitive good nature¹¹⁹ of the men of the state of nature. But Kant says, yes, but can there be any question that this is inferior to the development of man's faculties? ¹²⁰

Kant never believed that the savages were kind. He had read many stories about sophisticated projects . . . But however this may be, he accepts for the time being this notion. Nature: good and uncivilized, and unintelligent; and then, at the end, consciously moral, autonomous, and all human faculties developed. That is the beginning and that is the end. How is man brought from the premoral beginning to the moral ends?

Student: By the asociability, which forces him to develop his faculties.

LS: Yes, sure, but I would like to have a clearer answer.

Student: War.

LS: Immorality, I would say. Let us make the correction afterwards. At any rate, these people, the primitive people, are good-natured like sheep. These people in between are not good natured like sheep. Their qualities are not lovable. Let us go to the end of this road and say¹²¹ that malice is required for the development of man, for bringing it about. There is a great problem here, which is indicated by the fact that, if I am not mistaken, the word passion never occurs. Kant speaks only of inclinations and propensities, which as such¹²² are morally neutral. The passions,¹²³ especially the passions mentioned here, are simply morally bad. And then doubtless he speaks of these passions, but he seems to try to overcome the difficulty in an insufficient manner by avoiding the word passions.¹²⁴ That is of course of the very greatest importance.¹²⁵

^{xxii} Friedrich, 120-121, italics in Friedrich; [8:20]

Again, let us look at Marx. That is a simple illustration and an important one because of the thought of today. How did it come about? . . . The beginning, in-between, the end. Originally, communism. Originally, communism, then you have private property in various forms. And¹²⁶ the historical process is the history of private property, you can say. And in the end we have communism on the basis of the full development of man's faculties. Private property—which¹²⁷ in Marx, just as in Rousseau, is inseparable from the unlovable quality, as Kant calls it, born from the passions, you can say—is the way for¹²⁸ bringing man from original undeveloped simplicity to final developed perfection.¹²⁹ But¹³⁰ to understand it, you must also look backwards.¹³¹ Do you know of a similar schema in premodern thought?

Student: Plato's *Republic*?

LS: Very good. State it.

Same student: The city of pigs, the feverish city, and the republic.

LS: Yes.¹³² That is absolutely so, and I think Plato's *Republic* is really the classic presentation of the problem.^{xxiii} We have a city—well, such simple people who live like sheep do not do any harm to anyone (not even to a brute), who are strict vegetarians, and no government and no laws appear. It is wonderfully happy . . .¹³³ Socrates never calls it the city of pigs, someone else [does], an interlocutor who does not like it. And why does he not like it?

Same student: No luxuries.

LS: No luxuries. In other words, he has no moral objection, but simply it's not—that is no life!¹³⁴ What does he speak of? Cookies, and special pastries, and above all figs, are absent. Now but that of course is not Plato's argument, but what Plato wants to indicate is this: if this fellow had lived among these . . . or whatever they are called, he would have broken out at the first opportunity. So in other words, it is an irrational dissatisfaction, but in this irrational dissatisfaction¹³⁵ there lies a divination of the inadequacy of simple primitivity. To that extent the devoid is necessary. But what happens then? Then you get the city of luxury and the feverish city. And what happens then?

Same student: It is purified.

LS: A purification must take place.¹³⁶ Who does the purification? Well, say a certain wise man, because the purification of course is not effective in the republic, that is only in speech. But if we could put it into practical terms, men of superior wisdom and virtue would have to come in to establish the perfect society. The question we have to raise here is this: Does Kant need wise men of superior wisdom and virtue to establish the perfect society? . . . What was your answer?

Student: To achieve the perfect society, yes, because of the problems we haven't raised yet.

LS: Namely?

^{xxiii} *Republic* 369b following.

Same student: That this must be a society of laws and the laws must be administered, and the person who is the master, as he calls it, is above the laws. He must be a perfectly just person.

LS: All right, but whether you have understood this properly, this question . . . I have very great doubts, and I think the emphasis in Kant lies not¹³⁷ on the intervention of an autonomous reason which could limit us to the passions, but somehow the passions by their own way were . . .

For the time being I would like¹³⁸ only to read to you a passage from Kant's *Anthropology*, *Anthropologie*. I don't know if it is translated into English.¹³⁹

Of the many inclinations one may grant that Providence has willed but that they should become passions Providence has not willed, and to present Providence from this point of view may be forgiven to a poet—namely, to Pope, who said reason is only a magnet.¹⁴⁰ If reason is only a magnet the passions are the winds [meaning for a ship—LS], but the philosopher must not permit this principle that Providence has willed the passions, that Providence has willed these passions so that the end may be achieved, not even in order to praise the passions as a¹⁴¹ provisional^{xxiv} establishment of Providence in order to bring about good ends.^{xxv}

He emphasizes among these passions ambition, the desire to lord it over other men, and avarice.¹⁴² You see, Kant had great difficulty to admit that the teleology of nature which is Providence¹⁴³ would deliberately use the passions, vices, towards achieving a good end.

Now let us look after Kant. What about Hegel? Because in Marx, it is not different from Hegel. Passions are of course the thing which moves the history of the world. You see, that is another important consideration of why Kant was somewhat reluctant to go with full sails into a philosophy of history. Such a vindication of Providence would be saddled with a great problem that a moral principle, Providence, would justify immorality. Kant, the great moralist, had here some qualms which neither Hegel nor Marx ever felt. We will come back to this question later.

Perhaps I can find another passage which illustrates that. But I must confess that this is by no means clear in Kant. Kant hesitates. I read to you from his¹⁴⁴ *Presumptive Beginnings of the History of Man*, in a section called Note.

Before reason awoke there was not yet command or prohibition and hence no transgression, but when it began its business, and however feeble reason is, it came into conflict with bestiality and the whole force of bestiality. There had to¹⁴⁵ emerge evils and, what is worse, given a more cultivated reason, there had to emerge [*mussten*—LS] vices.^{xxvi}

So in other words, where . . . gives the development of reason but not yet the sufficient development of reason and the non-rational, animal or bestial element in men. There are other

^{xxiv} There is a brief and mostly inaudible exchange about the choice of English word here.

^{xxv} [7:276]. Strauss's translation.

^{xxvi} [8:115]. Strauss's translation

passages. In other words, what I want to say is this: Kant is hesitant—one cannot say more—Kant is hesitant to say that the passions and the passions which he mentioned—ambition, avarice, and so on—are to be blessed for having brought man from a state of stupid simplicity towards a state of perfection.¹⁴⁶ Hegel and Marx were in this respect more, as the Germans say, *großzügig*. What is the proper English translation? . . . Not pedantic.¹⁴⁷

Student: Wasn't Marx also very far from blessing private property? . . .

LS: Yes, but have you read the *Communist Manifesto* and what it says about capitalist society and what it did? The monuments which it erected, what are the pyramids of Egypt compared with that? And what are the expeditions of capitalist society compared with the Crusades? Of course capitalism destroyed all human relations and replaced them by the cash nexus, but that too is necessary because without the tremendous development of the means of production and the simultaneous degradation of the proletariat, there would never be the end of class society. Never.¹⁴⁸ That is a famous story which some people regard as the basic contradiction in Marx, that on the one hand he praises and on the other hand he curses capitalist society. That is not a contradiction, because the points of view are different.

Student: I do not understand why it is necessary to say that the passions play the role as chief means for effecting the transition.

LS: All right, that would be highly welcome . . . How would you do it?

Student: I do not know. That's why I'm asking. I just do not understand why, for instance, if someone said that the beginning was a good-natured, unintelligent state and that the end was the conscious moral state, why did the in-between state have to be one in which evil, or passion, or whatever you want to call it, played a predominant role for effecting the change?

LS: Yes, you have a very great authority on your side, you know that . . . Aristotle. Aristotle's point . . . compared to Plato and to Machiavelli . . . is that most states have a very dubious foundation . . . Man is by nature a social animal, and it is possible by virtue of this . . . that a rational sense could lead and would lead to the establishment of a good society. There is no need for . . .¹⁴⁹ But the question is more subtle than that. One cannot simply decide on this basis and say that Aristotle makes more sense. But the question is this . . . When you raise the question of the basis of moral principles in politics, you have . . . virtue . . . dedicated to virtue. At this point Aristotle . . .^{xxvii} Let us leave it at this, that Kant makes here a premise which had a great success after him and which resembles, but only resembles, a premise of Plato. It is not identical. At least that is controversial between Mr. Brod and me for the time being.

All right. Let us go on and turn to the fifth proposition. Nature compels men to achieve a civil society, which universally (i.e., within it, of course) administers right. The full development of man requires the greatest freedom. This freedom leads necessarily to an antagonism of its members. In a somewhat older language, if everyone is the judge of the means for his self-preservation, there is bound to be conflict, and if not everyone is the judge of the means of self-preservation then he is not free. To be free means, on the lowest level, to be a free judge of the

^{xxvii} There is a sustained period of inaudibility here.

means to your self-preservation. And that means of course immediately conflict, because “as many heads, as many opinions.”¹⁵⁰ And yet a limitation of that freedom so that it can co-exist with the freedom of everyone else, that is the key proposition of Kant’s legal or¹⁵¹ political philosophy. That is true freedom which can co-exist with the freedom of everyone else. For this purpose external laws, by which Kant means laws externally promulgated and externally enforced, are required. Now, how does this look? ¹⁵² Perhaps we [should] read the fifth proposition. “The greatest problem for the human race.”^{xxviii}

Reader:

The greatest problem for mankind, the solution of which nature forces him to seek, is the achievement of a civil society which administers law
[*Recht*] generally.^{xxix}

LS: You see, civil society still means in Kant what it meant in Locke, what we call now sometimes the state. It does not yet have the meaning which Hegel gave it, ¹⁵³ where it means the bourgeois society, the market society. I mention this in passing.

Reader:

Nature can achieve its other intentions regarding mankind only through the solution and fulfillment of this task, for a completely *just civic constitution* is the highest task nature has set mankind. This is because only under such a constitution can there be achieved the supreme objective of nature, namely, the development of all the faculties of man by his own efforts.

LS: You see, don’t forget this chain of ends. The end is the development of all faculties. For this end there is needed freedom of each.

Reader:

It is also nature’s intent that man should secure all these ends by himself only in society which not only possesses the greatest freedom, and hence a very general antagonism of its members—

LS: No, I didn’t see where—nature also wants that man should procure that. What is ‘that’?

Reader: Secure all these ends by himself.

LS: *By himself*. So in other words, freedom, while primarily subordinate, becomes then equally high. The perfection of man must be achieved by each man himself. That is where freedom comes in as such, because one could very well say from a paternalistic point of view that some people might be able to achieve the perfection of which they are capable by paternalistic guidance. Not in here. Yes?

^{xxviii} There is an exchange about the use of the word “greatest.”

^{xxix} Friedrich, 121; [8:22]

Reader:

The society must also possess the most precise determination and enforcement within the limit of its sphere so that it can coexist with the freedom of other societies.^{xxx}

LS: “Other societies?” No, let me see . . . No, the point is this. When he says on page 121, line 4 from bottom,^{xxxi} “it is also nature’s intent that man should secure all these ends by himself,”¹⁵⁴ then period.¹⁵⁵ In German it is really a conditional sentence, and now the apodosis begins: “since this is all the case, a society, in which freedom under external law is the highest possible degree combined with irresistible power is to be found, i.e., a perfectly just civil constitution must be the highest task of nature for the human race. Since [I am not responsible for Kant’s complicated and awkward style—LS] since nature can achieve its other intentions regarding our species only by means of the solution and completion of that one,” namely, this perfect civil society . . . Now go on.

Reader:

What forces man, who so greatly inclines towards unrestricted freedom, to enter into this state of constraint. It takes the greatest want of all—

LS: No, did he say “that which compels man to enter into that state is want”?

Reader:

It takes the greatest want of all to bring men to a point where they cannot live alongside each other in wild freedom but within such an enclosure as the civic association provides. These very same—

LS: In other words, what is then the greatest want—or need, as Kant rather says? What is that? *Not* means in German more than that; it means trouble, great trouble. Now what is the greatest trouble in which men can be? The trouble which they inflict one upon the other.

Reader:

These very same inclinations afterwards have a very good effect. It is like the tree in the forest which, since each seeks to take air and sun away from the other, compel each other to seek both and thus they achieve a beautiful straight growth. Whereas those that develop their branches as they please, in freedom and apart from each other, grow crooked and twisted. All culture and art which adorn mankind, the most beautiful social order, are the fruits of associability, which is self-compelled to discipline itself and thus through a derived art to fulfill completely the germs of its nature.^{xxxii}

^{xxx} Friedrich, 121 [8:22]

^{xxxi} Or [8:22], ll. 14-21 in the German.

^{xxxii} Friedrich, 122; [8:22]

LS: Now here everything depends on the realization . . . of the inclinations, which inclinations make men miserable prior to the establishment of legal order, and which inclinations contribute so much to his perfection after the establishment of civil order, legal order. Which are these inclinations?¹⁵⁶ That is hard to answer, but I see one clear consequence of these inclinations and they may help us to define the character of these inclinations: competition. If the trees are isolated, he says, then they will not grow properly, but if the trees have to compete for air and sun then they are compelled to grow properly. Competition is of crucial importance. Freedom for the sake of competition, for the sake of the development of man's faculties. How does this relate to Adam Smith, you suppose? Is the development of the faculties part of his schema, Mr. Cropsey?

Mr. Cropsey: No, very little.

LS: Yes, I see. That is then¹⁵⁷ [one great change]—I know you are interested in the question of Adam Smith and Marx.¹⁵⁸ The development of the faculties, the full development of the faculties¹⁵⁹ as the end, that he did not learn from Smith. That he learned from the German idealistic school. We know that, according to famous statements of Engels, the German working class, as he called it, by which he meant the Marxist part of the workers, was the true heir to German idealistic philosophy, and there is¹⁶⁰ much truth in that, much truth.

Now let us go on to the sixth proposition.¹⁶¹ This task of establishing the perfect civil society is solved later than any other task. It is never fully solvable. Only an approximation to that perfect society is imposed upon us by nature. And in this same section he remarks, and this is the *pièce de résistance*, that the actualization of the perfect social order requires a good will, i.e., a coincidence of civic and moral goodness.¹⁶² But that is a very, very difficult question, whether such a coincidence is met. Kant really assumed that. I mention here only one point. In the seventh proposition, at the end of the first paragraph:¹⁶³

Reader:

All wars therefore are so many attempts (not in the intention of men, but in the intention of nature) to bring about new relations among the states and to form new bodies by the break-up of the old states to the point where they cannot again maintain themselves alongside of each other and must therefore suffer revolutions until finally, partly through the best possible arrangement of the civic constitution internally, and partly through the common agreement and legislation externally, there is created a state which, like a civic commonwealth, can maintain itself automatically.^{xxxiii}

LS: Like an automaton. Like an automaton. Now if that is a mechanism, an automaton, that cannot be itself a moral society. It can only be (how shall I say?) a framework for morality, but it cannot be a moral society.¹⁶⁴ That is a very great problem in Kant. I mentioned this before and we shall pursue this further next time, whether the progress, which we must assume is¹⁶⁵ necessarily a progress towards morality, or only towards an order of society which morality

^{xxxiii} Friedrich, 124-125, parentheses in Friedrich; [8:24-25]

demands. Those are entirely different propositions. We have not solved it. We have barely stated it.¹⁶⁶

We stop here, and I would like to mention only one point which is of some importance, and which we will think over more carefully next time because we have not discussed at all today the connection of Kant's philosophy of history to his overall scheme. The crucial point is the distinction between phenomenal and the world as the thing-in-itself. Let us consider man. Qua a phenomenal being, man is fully determined by antecedent causes; qua a noumenal being, qua a thing-in-itself, man is free. Now we observe the progress toward the just society by observing the phenomena. In the phenomenal world we observe, or we must assume—I leave this open for the time being—a necessary progress towards a just society—

[change in tape]

—is somehow helped by man's freely willing it. There is a kind of necessity on the basis of the passions and interests which itself tends towards that. But somehow¹⁶⁷ men freely will it, [such as] that man not driven by passion, say, President Wilson—[but] out of moral conviction use[s] the opportunity offered by the passions . . . There is some tendency in the actual series of events towards the just society which is demanded by morality. There is then some agreement between¹⁶⁸ the sphere of necessity and freedom. In this agreement we may recognize the indication of a natural teleology. It would be too strange if the play of human passions and interests would point, and to some extent even lead into a morally desirable direction. Furthermore¹⁶⁹ that there is such an agreement, such a natural convergence,¹⁷⁰ is a defensible proposition. Nothing¹⁷¹ we know, Kant says, refutes it. We may therefore think it; but in addition, we are *obliged* to believe in it because such a¹⁷² belief is morally necessary. And therefore the natural teleology is of course *never more* than a presupposition.¹⁷³

The status of Kant's philosophy of history depends *absolutely* on the distinction between phenomenal world and the thing-in-itself.¹⁷⁴ Perhaps there would be one way of approaching Kant's thinking entirely from the outside, to say: Look at what men are doing and what drives them. The crudest and most terrible things are the most effective ones . . . the passions . . . say Nazi Germany, or past struggles, or revolutions, or wars . . . let us say they lead to something which has been called¹⁷⁵ a homogeneous and universal society, universal meaning embracing all men, homogeneous meaning there are no legal distinctions on any basis other than merit between the members of a universal society. It is a perfectly just society. So let us assume that this is so . . . very strange, how the amoral life of man should bring about a morally desirable result. What Kant contends is that you cannot even diagnose without making this clear-cut distinction between the world of determination and freedom. And furthermore you cannot understand if you do not make an assumption, an assumption never proven but which you are morally obliged to make, of a natural teleology. In the case of Marxism it is an absolute riddle¹⁷⁶ why the class struggle should lead to the perfect society . . . to say nothing of the question of the criterion, how could one recognize the perfect society . . .¹⁷⁷ Well, the common criticism of this is that Marxism rests on an optimistic assumption. Marx says mankind never sets itself any task which it is

unable to perform.^{xxxiv} . . . It makes perfect sense under a teleological point of view, but without that, what is its basis? In Kant . . .

I think we will leave it at that and¹⁷⁸ we will devote [next time] for further discussion of these questions.

[end of session]

¹ Deleted “then.”

² Deleted “it.”

³ Deleted “you did not follow that through. I mean.”

⁴ Deleted “that every....”

⁵ Deleted “the relation of....”

⁶ Deleted “but.”

⁷ Deleted “do anyone of you know....”

⁸ Deleted “were used or.”

⁹ Deleted “now.”

¹⁰ Deleted “the point... the question which I [inaudible]....”

¹¹ Deleted “you know.”

¹² Deleted “all his....”

¹³ Deleted “so there would have to be....”

¹⁴ Deleted “why....”

¹⁵ Deleted “and.”

¹⁶ Deleted “which is....”

¹⁷ Deleted “to make....”

¹⁸ Deleted “**LS:** Then he speaks of Rousseau?”

¹⁹ Deleted “**LS:** Where is the first? **Student:** The first, in the Modern Library edition, is on page 124. **LS:** in which proposition? **Student:** the seventh.”

²⁰ Deleted “**Student:** The other is the one I just read, which is about twenty lines from the end of the seventh proposition. **LS:** Well, read it.”

²¹ Deleted “**LS:** Yes. Up to this point. In other words....”

²² Deleted “that....”

²³ Deleted “his.”

²⁴ Deleted “of the human race....”

²⁵ Deleted “the.”

²⁶ Deleted “the second....”

²⁷ Deleted “see whether....”

²⁸ Deleted “I wish... oh here... the book....”

²⁹ Deleted “a General History or....”

³⁰ Deleted “to... how should I... to... to....”

³¹ Deleted “to... the other....”

³² Deleted “which reads....”

³³ Deleted “this journal.”

³⁴ Deleted “that is....”

³⁵ Deleted “can act is.”

³⁶ Deleted “and therefore... other things....”

³⁷ Changed from “but in spite of that the appearance, how these acts of the free will appear to observation, this shows a strange regularity.”

³⁸ Deleted “them here....”

^{xxxiv} The comment occurs in the preface to Marx’s *Zur Kritik der politischen Ökonomie* (1859). For an English translation, see, e.g., “A Contribution to the Criticism of Political Economy,” in *Marx on Religion*, ed. John Raines (Philadelphia, Temple University Press, 2002), 109-10.

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- 39 Deleted “and he compares them...”
- 40 Deleted “I mean, if someone... if someone...”
- 41 Deleted “now qua...”
- 42 Deleted “an action...”
- 43 Deleted “that is...”
- 44 Deleted “and then.”
- 45 Moved “is in any way meaningful or regular.”
- 46 Deleted “the.”
- 47 Deleted “Now I would like to discuss this question first this question which I stated as follows. Let me first answer that question.”
- 48 Deleted “have it. Well what is happening... what.”
- 49 Deleted “you cannot make...”
- 50 Deleted “but Weber...”
- 51 Deleted “how do you call it?”
- 52 Deleted “I don’t know how...”
- 53 Deleted “about the... you know...”
- 54 Deleted “in keeping, you know, and become...”
- 55 Deleted “but in one way...”
- 56 Deleted “whether you...”
- 57 Deleted “in predicting beyond...”
- 58 Deleted “in other words.”
- 59 Deleted “we should...”
- 60 Deleted “that... how...”
- 61 Deleted “and how...”
- 62 Deleted “that is... every man can do that.”
- 63 Deleted “you know, I mean...”
- 64 Deleted “what can predictions regarding...”
- 65 Deleted “Let us assume, by the way...”
- 66 Deleted “Now, I would like... yeah... no...I think...I...”
- 67 Deleted “**LS:** of the introduction? **Student:** Yes.”
- 68 Changed from “Individual human beings, and even whole nations, think little of it that (this is a very long passage) . . . that, while they proceed, each according to his bent or his intention. . and one... while each pursues his own intention, according to his opinion, and frequently one against the other, they might...they proceed unwittingly along... along the intention of nature which is unknown to them as a... a guiding thread, they go... they... they... [inaudible] they follow (that is somewhat more clear) they follow unwittingly the intention of nature [inaudible] this intent of nature is a kind of guiding thread and they work at the achievement, or promotion, of that end, which promotion, even if it would become known to them, would be very little care by them... would be of little concern to them.”
- 69 Deleted “It means little, it does not mean...that means... barely...”
- 70 Deleted “That is... no... we cannot possibly have a seminar on Mr. Bridge’s translation or [inaudible].”
- 71 Changed from “‘the rule of man is therefore artifice.’ **LS:** ‘the role of man’. **Reader:** ‘the role.’”
- 72 Deleted “you see.”
- 73 Deleted “and then.”
- 74 Deleted “which leads to the...”
- 75 Deleted “here you see, this whole proposition...”
- 76 Deleted “now the first...”
- 77 Deleted “**Student:** the last sentence? **LS:** Yes. The last [inaudible].”
- 78 Deleted “the... the...”
- 79 Deleted “the... I mean...”
- 80 Deleted “it is.”
- 81 Deleted “is.”
- 82 Deleted “is...”
- 83 Deleted “should.”
- 84 Deleted “man should...”
- 85 Deleted “he is capable to.”

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- 86 Deleted "at the end...."
- 87 Deleted "LS: yeah. How...."
- 88 Deleted "Yeah, but there is of course...."
- 89 Deleted "why...."
- 90 Deleted "creating...."
- 91 Deleted "I hope that this might be related to the problem, if...."
- 92 Deleted "then if...."
- 93 Changed from "Why should the immortality of the soul, I don't really understand, why should this idea of it."
- 94 Deleted "it."
- 95 Deleted "that is...."
- 96 Deleted "Kant... Kant... I mean... [inaudible] I don't go into that...."
- 97 Deleted "Kant... God...."
- 98 Deleted "to."
- 99 Deleted "And that Kant would say [inaudible] there are... there is men for...."
- 100 Deleted "and."
- 101 Deleted "that."
- 102 Deleted "I mean because... That is a very... let us...."
- 103 Deleted "that is."
- 104 Deleted "is necessary... it...."
- 105 Deleted "because then you would have... then...."
- 106 Deleted "I don't... no...."
- 107 Deleted "But let us keep it... I want...."
- 108 Deleted "to...."
- 109 Deleted "this... to...."
- 110 Deleted "with a...."
- 111 Deleted "how does...."
- 112 Deleted "developed [inaudible]...."
- 113 Deleted "Now I think, there there happens... Now."
- 114 Deleted "on the other...."
- 116 Deleted "that is not yet...."
- 117 Deleted "domestic... how do you say...."
- 118 Deleted "up to this point."
- 119 Deleted "yes, good nature."
- 120 Deleted "now let us... [inaudible]."
- 121 Deleted "they are malice...."
- 122 Deleted "are not...."
- 123 Deleted "of all kinds of... these...."
- 124 Deleted "Now let me... do...."
- 125 Deleted "does this thought...."
- 126 Deleted "that is."
- 127 Deleted "is."
- 128 Deleted "brining about...."
- 129 Deleted "that's... that's...."
- 130 Deleted "it demands...."
- 131 Deleted "did you...."
- 132 Deleted "now let us...."
- 133 Deleted "And well, that... they are...."
- 134 Deleted "where do you get...."
- 135 Deleted "there is...."
- 136 Deleted "in other words...."
- 137 Deleted "in...."
- 138 Deleted "to say...."
- 139 Deleted "I read it from the translation."
- 140 Deleted "reason is a magnet."
- 141 Deleted "what is that in English?"

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- ¹⁴² Changed from “Now, he mentions among these passions, among others, with emphasis, ambition, the desire to lord it over other men, and avarice.”
- ¹⁴³ Deleted “would have....”
- ¹⁴⁴ Deleted “*Presumptive Beginnings of the Human Race....*”
- ¹⁴⁵ Deleted “be.”
- ¹⁴⁶ Deleted “that is I think in....”
- ¹⁴⁷ Deleted “not pedantic. Good. Yes?”
- ¹⁴⁸ Deleted “No, no. I mean....”
- ¹⁴⁹ Deleted “but the point is only... that leads....”
- ¹⁵⁰ Deleted “and now....”
- ¹⁵¹ Deleted “moral....”
- ¹⁵² Deleted “like.”
- ¹⁵³ Changed from “which the term got from Hegel.”
- ¹⁵⁴ Deleted “that is....”
- ¹⁵⁵ Deleted “and now Kant draws....”
- ¹⁵⁶ Deleted “Kant....”
- ¹⁵⁷ Deleted “one point.”
- ¹⁵⁸ Deleted “that is;” Moved “one great change.”
- ¹⁵⁹ Deleted “is....”
- ¹⁶⁰ Deleted “great....”
- ¹⁶¹ Deleted “that perfect civil society....”
- ¹⁶² Deleted “Yes, but that is a very....”
- ¹⁶³ Deleted “Read the end of the first paragraph of the seventh proposition. **Reader:** ‘It is this which must compel states to the resolution to seek quiet and security through a lawful constitution, however hard it may be for them, and to do that which the wild man is so very reluctant to be forced to, namely, to give up his freedom.’ **LS:** Where is that? No, I meant here. Read this.”
- ¹⁶⁴ Deleted “Whether the... the....”
- ¹⁶⁵ Deleted “a progress....”
- ¹⁶⁶ Deleted “we....”
- ¹⁶⁷ Deleted “men’s.”
- ¹⁶⁸ Deleted “necessity.”
- ¹⁶⁹ Deleted “there....”
- ¹⁷⁰ Deleted “that there is such a convergence, can be... is....”
- ¹⁷¹ Deleted “what.”
- ¹⁷² Deleted “belief is necessary, that.”
- ¹⁷³ Deleted “never more;” deleted “Now, I had one more point which I wanted to mention, so that you keep it in mind, because you must reread that. You see, that is very, very important. I had a clear statement somewhere which I can’t find regarding the deeper connection. I’m sorry I don’t have this note. I had a somewhat clearer statement of this point. What I wanted to show... Perhaps I can reconstruct it. What I wanted to say is this:”
- ¹⁷⁴ Deleted “absolutely. We cannot....”
- ¹⁷⁵ Deleted “by...to....”
- ¹⁷⁶ Deleted “why this should lead....”
- ¹⁷⁷ Deleted “Marx says....”
- ¹⁷⁸ Moved “next time.”

Session 6: April 16, 1958

Leo Strauss:¹ Before we turn to a coherent discussion we must first finish our survey of Kant's *Idea of a Universal History in Cosmopolitan Intent*.² We stopped last time at the fifth proposition.³

We approach history on the basis of an *a priori* assumption, and the assumption is that there is an end of nature, an end which nature pursues with men. And then we see nature, and then we are compelled to say that nature intends the development of all faculties of each being. Did you notice, by the way, that in the first proposition, for example, but also later on Kant speaks of a creature? Did you notice that? That's quite interesting, because in the moment you speak of an intention of nature as Kant means it, you mean of course a divine intention. And then the beings are creatures. You see, you⁴ must disregard the vulgar use of the term creature, which is now used by many people who are not aware of the fact that they imply that the being in question has been created. You know, a "queer creature"; you hear such expressions. Kant of course means this very seriously, so that all natural faculties of a creature are meant to develop fully and purposefully. Now in the case of man this is impossible as far as the individual is concerned, and therefore nature can achieve its ends in the case of man only in the series of generations, in a historical process. Now nature⁵ wanted men to develop, not in the way in which a dog or a cat or a rat develops, but that he should owe his development fully to his own rational activity and therefore she [seemingly] treated men so⁶ badly—that is, she did not give him animal skins, and there are you know also other inconveniences which humans have so we are compelled to make our clothes ourselves. Nature wanted man to owe his development to himself. But what is the means which nature uses? And the answer of Kant is the antagonism essentially belonging to man, man's social antisociality or antisocial sociality. The antagonism is the means which nature uses in order to compel man to develop his faculties. Here we have the origin of the class struggle in the Marxist doctrine and of similar things.

Now but what does nature aim at? What is the end which nature tries to achieve by virtue of this antagonism which brings about both domestic and foreign war and all kinds of hardships? Answer: to bring about the establishment of a just society. And Kant defines⁷ here what a just society means in this very proposition. This was, I think, the point we reached. You see, what Kant has done by these steps already is this: in a way which is problematic from Kant's own point of view, to vindicate God. This terrible mess of beastliness and stupidity, history, appears to be the arrangement of a wise providence. If men were not permitted to be so nasty to each other, they could not possibly owe their betterment to their own achievement. Man would have stayed in a kind of banana situation, by which I mean lying under a tree, a banana tree, and waiting until the bananas fall into⁸ [their] mouths, and no development of faculties would occur.⁹ I do not think of what is called a banana republic [laughter]. That is another kind of phenomenon.

So now let us turn to the sixth proposition to finish our reading. Now what does Kant say about this? Let us read first the proposition, the sixth proposition. Let us read it out loud.

Reader:

This problem is the most difficult and at the same time the one which mankind solves last.ⁱ

LS: And in what does the difficulty consist?¹⁰ Why is it the most difficult, and therefore also that which is solved only the latest? In other words, it is a much greater problem than to get proper clothing; that mankind has solved at the very early days. Why is it so difficult? Now let us see.

Reader:

The difficulty which even the mere idea of this task clearly reveals is the following: man is an animal, who, if he lives among others of his kind, *needs a master*—ⁱⁱ

LS: No. The translation animals is perhaps inevitable,¹¹ given the present state of colloquial German and English. But¹² I must point out one thing, that animal means (not in colloquial English, but originally) a living being, and man is of course a rational animal and there in this way it is still used. But I think in colloquial English animal today means only brutes. That's my impression. Now the German word used by Kant, *Tier*, means clearly brute, corresponding not to *zōon* in Greek but to *thēreion*.¹³ So I would translate "man is a brute," because otherwise Kant would say *Lebewesen*, which is the German word roughly corresponding to animal. So the German is harsher than is the English translation. Yes?

Reader:

For man certainly misuses his freedom with regard to others of his kind and, even though as a rational being he desires a law which would provide limits for the freedom of all, his egoistic animal inclinations misguides him into excluding himself where he can. Man therefore *needs* a master who can break man's will and compel him to obey a general will under which every man could be free. But where is he to get this master? Nowhere else but from mankind. But then this master is in turn an animal who needs a master. Therefore one cannot see how man, try as he will, can secure a master [charged with maintaining] public justice who would himself be just. This is true whether one seeks to discover such a master in a single person or in a group of elected persons. For each of these will always abuse its freedom if he has no one over him who wields power according to the laws.ⁱⁱⁱ

LS: In other words, Kant says [that] by abolishing the monarch you will still have a sovereign legislative assembly. And who will keep them in check? Perhaps if they can commit ordinary crimes that is easy, but if they do things which are not so easily classified as ordinary crimes there is no congressional investigation of members of congress, [which] is a difficult problem. It is the old question: *Quis custodiet ipsos custodes*, who will watch the watchers?

Reader:

ⁱ *The Philosophy of Kant: Immanuel Kant's Moral and Political Writings*, ed. Carl Friedrich (New York: Modern Library, 1949), 122; [8:23] Hereafter referred to as "Friedrich."

ⁱⁱ Friedrich, 122, italics in Friedrich; [8:23]

ⁱⁱⁱ Friedrich, 122-123, brackets and italics in Friedrich; [8:23]

Yet, the highest master is supposed to be *just in himself* and yet a *man*. The task involved is therefore most difficult; indeed, a complete solution is impossible. One cannot fashion something absolutely straight from wood which is as crooked as that of which man is made. Nature has imposed upon us the task of approximating this idea.^{iv}

LS: *Only* by approximation. So in other words, the perfectly just society cannot be achieved. The progress can only consist in an infinite approximation to it.

Reader:

That his task should be the latest that man achieves follows from yet another consideration: the *right conceptions* regarding the nature of possible constitutions. Great *experience* in many activities and a good will which is prepared to accept such a constitution are all required. Obviously, it will be very difficult, and if it happens it will be very late and after many unsuccessful attempts that three such things are found together.^v

LS: Yes. You see here Kant here makes morality, a good will, the condition for the establishment of a tolerably just order, a statement which contradicts other statements of Kant's to this purpose.¹⁴ I mention only one other remark on this subject, and that is the passage to which I referred last time in the seventh proposition, near the middle. But before he speaks of the Epicurean concourse of efficient causes, he speaks of a state, a condition [in] which this just society¹⁵ can preserve itself like an automaton. Now that cannot be a moral society as moral society. That is a mechanism.

Student: Are we to understand that the egoistic, asocial aspects of man are animal in the sense of biological, in the sense of continuous with the rest of nature, rather than specifically human?

LS: No. They are specifically human for Kant, surely.¹⁶ You know that the notion of evolution was of course already in the air in Kant's time, and now he would say that if there is such a transition, as long as the transition has not yet been completed, that was not yet man. You could call them—how are they called now, hominoids? I do not know what term the biologists use, but at any rate¹⁷ they would not be human beings. They would be man-like, but not man. Their reason would be undeveloped at the beginning, unexercised.

Same Student: But why, when he speaks of this egoism or asociality, does he always associate it with animal instinct?

LS: Yes,¹⁸ that is nothing particular in itself, nothing new. That is what Aristotle also meant. Man is the animal which possesses reason. As an animal he has important elements in common¹⁹ with the animals in general. He must eat food, he must digest, and so on and so on.²⁰ Man is in a situation that—whereas the animals can live properly because they are limited by instinct, man is not limited by instinct. You see? He has therefore a very large range and²¹ if he has not

^{iv} Friedrich, 123, italics in Friedrich; [8:23]

^v Friedrich, 123, italics in Friedrich; [8:23]

developed his reason properly he will make all kinds of foolish choices. [That is point] number one. But the high point of rationality, according to Kant, consists in his morality, which means among other things the morally right treatment of the merely animal in man. Take a simple example regarding food, or smoking for that matter: We are free to control it, morally free, and if we do not use this freedom properly then we are bad to that extent; we may not be terribly bad but still bad [laughter], I would say. I don't know how far this answers your question.

Same Student: Quite a bit of the way but not entirely.

LS: But what is then the missing point?

Same Student: Well, I still have the feeling that he is going out of his way to associate, for instance, vainglory, ambition, and avarice, with the first primeval . . .

LS: Yes, they are specifically human.

Same Student: They are specifically human?

LS: Yes, sure, in spite of the fact [that]²² sometimes we think we see a marvelous stallion, and someone would say he is showing off, but that is only a metaphorical way of speaking. One would have to know much more of stallions than [LS laughs] probably anyone knows today about what is going on in the stallion who does these things. [Laughter]

Same Student: But these things are not specifically human in the sense that reason defines them as specifically human.

LS: No, they are based on a misuse of reason, but a *misuse*, and of *reason*. Take avarice, which has a reasonable beginning. We must store things for a rainy day, I mean even in the literal sense of a rainy day.²³ Now this²⁴ can emancipate itself from its rational end and can become storing for storing's sake, and then it is avarice and so on. But what a hamster does is not avarice. It is necessary for a hamster to live. You know hamsters are such another story.

Student: I wonder if this civic commonwealth, as an automatic institution, contradicts the necessity for morality in a just society, because a constitution or any institution is a phenomenon essentially, is it not? And therefore wouldn't it be part of the determinate . . .

LS: Yes, this whole process which Kant describes here is a necessary process. A necessary process. But the problem consists in this (I will discuss this coherently later): that there is a strictly determined process which yet has a moral meaning, *without being moral*. Without being moral. That in a way is the gist of Kant's philosophy of history. But²⁵ we will postpone that. We must surely come back to that.

Now let us turn to the seventh proposition. Read the seventh proposition.

Reader:

The problem of the establishment of a perfect civic constitution depends upon the problem of the lawful external relationships of the states and cannot be solved without the latter.^{vi}

LS: In other words, one cannot leave it, as Plato or Aristotle did, at the perfectly just society. We must also have a perfectly just global order, if I may say so. The relation between these different states must itself be in accordance with right: a league of nations.²⁶ This sentence seems to say that without a league of nations you cannot even have a republic. You see, the problem of the proper order²⁷ within a state cannot be resolved without the solution of this international problem. So the demand for a just intrastate order is inseparable according to Kant from the demand for a just *interstate* order. But still if you look a little bit later (where is that?), this passage regarding the automaton which we read last time towards the end of class in the seventh proposition, when he says that all wars are so many attempts to bring about new relations of states, and through destruction, or at least cutting to pieces of all to produce new bodies, which again cannot preserve themselves and which therefore must suffer new similar revolutions until finally—do you have that passage?

Reader:

until finally, partly through the best possible arrangement of the civic constitution internally, and partly through the common agreement and legislation externally, there is created a state which, like a civic commonwealth, can maintain itself automatically.^{vii}

LS: Yes. You see here, by this coordination Kant seems to say there is not necessarily a relation of precedence of the just order within and the just order without. That is only for . . .

Now there is another passage (which I cannot now find)²⁸ before that passage which you just read, when he speaks of this antagonism—men are driven by wars and so on to attempts which are to begin with imperfect, but eventually, after many devastations, failures, and even complete inner exhaustion of their forces, [led] to that which reason could have told them without so much sad experience.²⁹ Now what does this mean? There is a true *a priori* doctrine of morality, which includes the true *a priori* doctrine regarding just societies and just international order. Reason could have told men at all times. In principle the truly just order is knowable at all times but men don't listen to that, and therefore, since they don't listen to reason, they must be forced into it the hard way.

But there is of course a very great question here implied: Was knowledge of the just order possible prior to a certain stage of the historical process? The importance of that question is seen immediately if you think of the Marxist doctrine, where the true solution, the classless society based on public ownership of the means of production, could not have been seen according to Marx in any significant way prior to roughly 1840. Kant's answer to this question is not as unambiguous as it appears from this passage. It is a problem for Kant.³⁰ Man begins as these banana people, you know, and for them no problem would exist; and they are driven out of this condition, say, by overpopulation (that is Rousseau's reason), and they are of course absolutely

^{vi} Friedrich, 123; [8:24]

^{vii} Friedrich, 124-125; [8:25]

dumb and stupid, having no experience. And it takes a very, very long time—in Rousseau’s opinion, [until] about his time—until the true principles of the just public order are discovered. This problem is of course essential to the problem of history for the following reasons. Because if history is, say, political history and how the mass of men become gradually conditioned to reason, that’s one thing; it is an important but a secondary problem. The much more important problem is the question of the knowledge of the principles. Is the knowledge of the principles itself historically located as distinguished from the actualization of these principles in institutions? Now in Kant we do not find an unambiguous answer to this question in general,³¹ whether, say, Kant’s philosophy would have been possible at any earlier date. We do not have a clear answer to that question. But one thing only Kant says clearly that of course is neutral to this question: that many trials and errors are needed until the truth is found. Well, Aristotle himself,³² in the beginning of the *Metaphysics*, shows you that—that when men first began to think without having any experience in thinking, they were bound to take very gross solutions as sufficient. And it takes some time. I must leave it now at merely mentioning this question.

Now there is another point which I think we should mention. In this seventh proposition, after the automaton passage, Kant raises the question perhaps that there will be a new relapse into complete barbarism—a complete relapse into barbarism—so that the progress we can observe within a narrow span is simply an interlude of no broad importance. Kant’s answer to that is this: this amounts to the question whether it is reasonable that there should be teleology of nature in parts and yet chance in the whole. In other words, the assumption of a relapse into barbarism is unreasonable. I mention this now only as a fact. On the other hand, you see one thing a little bit later when this state . . . there is one thing which is of crucial importance. There cannot be a complete achievement of the perfectly just state nationally and internationally. When he speaks of the law of equilibrium, you must keep your finger there.³³ ^{viii} A little bit more than one page from the end. Did anyone find it while I read it?

Reader:

by the employment of all the resources of the commonwealth for armaments against one another, by the devastation which war is causing, but even more by the necessity of being constantly prepared for war. The full development of man’s natural faculties is being inhibited by the evils which spring from these conditions which compel our species to discover a counter-balance to the intrinsically healthy resistance of many states against each other resulting from their freedom and to introduce a united power which will give support to this balance. In other words these conditions compel our species to introduce a cosmo-political state of public security, which is not without all *dangers*, [for we must see to it]—

^{ix}

LS: I think there is a subjunctive in German, “which *should not* be without a danger.”³⁴ That’s a bit too strong. But Kant implies—means, really—“of which it is good that it is not without danger,” as appears from the immediate sequel, “lest the powers of mankind become dormant.” You see, here is the teleological reason why the final goal should³⁵ not be achieved but should

^{viii} There is some fumbling here in finding the passage that Strauss wants to have read aloud.

^{ix} Friedrich, 126, parentheses and italics in Friedrich; [8:26]

only be a goal of aspiration, because if it were achieved—we had this problem last time; Mr. Bullern, you brought it up in your paper: What happens if the goal is achieved? Kant says dormancy, and that would not do.³⁶ This makes sense because the assumption of an end—Hegel's assumption which has come leads to a very great difficulty, an end of history which has come. And therefore it is much wiser to say history is unfinishable, as Kant says. But it has certain inconveniences, especially if you look at the question of war, because an infinite progress³⁷ towards perpetual peace means perpetual war, does it not?³⁸ That was Hegel's criticism of Kant, which I think is well taken, and I think that people like Mr. Friedrich today (who refers himself to Kant) mean of course a peace *now*, a perpetual peace now, which is in this respect more sensible. But whether they are aware of the problem of dormancy and the other complications, one would have to read their books to argue that question.^x

Well, here in this context, there is a passage (I can't find it now) in which Kant says a league of nations is inevitable.³⁹ Is inevitable. This is another side of the difficulty. But how can one solve the problem of Kant, by the way? The league of nations must not be an automaton, an end of all dangers, because then people [would] become dormant. And that is really very easy to prove empirically. I remember after the First World War, where I was brought up in Germany, there was a terrific exhaustion at the end of the war and no one except a few officers and non-commissioned officers even wanted to *hear* of war. And then in about 1925 they began to show war films, and there was a young generation, you know, and they were very popular. First they did not show war films but showed films of military training. And [there were] very funny scenes, how do you call this, the rough diamond of a non-commissioned officer—you know this kind of thing—very, very amusing. And you could say: Well, how nice, really in the army. [Laughter] Then they gradually also accustomed the people to becoming interested in real war, shooting, and showed films of the First World War and so on and so on. But that was, you must admit, a terribly short period from 1918 to 1928. Imagine a period of a hundred years of complete security against war, against economic depression, against tyrannical government and what have you, how people would constantly—by mere reading, because they have so much time, the great books of the past, where they see constant examples of heroism, which would propose the absence of security. How is this bound to affect them?⁴⁰ The proposal of William James to find a moral substitute for war is a very good formula of the problem but not necessarily in itself the solution.^{xi} There is really a difficulty.

Student: I think that the Soviets tend to substitute, by a constant war, the stage that the heroes . . . go into competition . . .

LS: Yes, sure, that is Freud, but that is not fundamentally William James, I think. And physicians, and bricklayers, and this kind of thing.⁴¹ The strange thing is that all these peaceful forms of heroism lack an X which the heroism shown in war exhibits. Why that is so would require a lot of analysis . . . but this is a problem of which I believe Mr. Riesman is well aware, if I have followed the point in his book about broken—you know, about the problem now showing itself in juvenile delinquency and this kind of thing, where very great leisure, very great

^x Carl Friedrich (b. 1901), was a German-American professor and political theorist. He was the editor of the edition of Kant text under discussion.

^{xi} Strauss is most likely referring to William James's essay "The Moral Equivalent of War" (1906), in which he calls for national civil service to replace military service.

abundance, and in addition an extremely mild execution of the penal law, which of course would be a consequence of this form of security, naturally develops.^{xii} But of course one could imagine that perhaps this would be a refuge: the great wave of delinquency and therefore the great insecurity in every city plus the need for calm. [Laughter] That might be worth considering.⁴²

Now let us continue [to the eighth proposition]. We cannot possibly study everything.⁴³

Reader:

The history of mankind could be viewed on the whole as the realization of the hidden plan of nature—

LS: You see, *could*. One *can*, more literally translated. I emphasize the *can*. There is no necessity for that, either theoretical or moral, but one *can*.^{xiii}

Reader:

as the realization of the hidden plan of nature in order to bring about internally—and for this purpose also externally—perfect constitution; this is the only state in which nature can develop all faculties of mankind.^{xiv}

LS: “Can develop all faculties of mankind completely.” Here, you see,⁴⁴ he subordinates the league of nations to the internal just order. I mention this only in passing. The development of man’s faculties requires then the antagonisms and secondarily, from a certain moment on, control by law of those antagonisms now controlled by law. What does the control by law of the antagonisms mean? That one does not find. Would this mean a complete extirpation of the antagonisms?

Student: . . .

LS: Yes, but more simply, peaceful competition, but competition means antagonism, but a limited antagonism. That is then the solution to it. Now⁴⁵ Kant draws a conclusion in the sentence immediately following, “one sees philosophy too can have its chiasm.” You know what *chiasm* means? No? Mr. Kennington, that’s your specialty.⁴⁶

Student: Expectation of the thousand years.

LS: Yes, the millennium. Thank you. So philosophy too⁴⁷ can have its expectation of a perfect and glorious future. So Kant is, in other words aware of that, what has been said many times⁴⁸ [since], that the modern notion of progress is a secularized version of biblical beliefs. Whether that is really true, if you think of the origins of these things and of such people like Condorcet and so on, you may doubt.^{xv} But at any rate, from a certain moment on Kant and later Hegel

^{xii} Strauss is referring to David Riesman, author, with Nathan Glazer and Reuel Denney, of *The Lonely Crowd* (1950).

^{xiii} Strauss disputes the translation of “Man kann . . . ansehen.”

^{xiv} Friedrich, 127; [8:27]

^{xv} Marie Jean Antoine Nicolas de Caritat, marquis de Condorcet (b. 1743), an important French Enlightenment philosopher and proponent of human progress who wrote an early example of philosophy

believed in such things. But what does secularization mean? That is⁴⁹ said by Kant in the immediate sequel. Will you read that?

Reader:

We can see that philosophy may also have its expectation of a millennium, but this millennium would be one for the realization of which philosophical ideas themselves may be helpful although only from afar. Therefore, this expectation is hardly utopian.^{xvi}

LS: No. Well, that is really badly translated. The term which Kant uses is “enthusiastic.” Now enthusiastic had a very special meaning. Today the word enthusiasm is frequently used in a sense of praise, but it had a very negative meaning in the eighteenth century. What did enthusiasm mean? That⁵⁰ goes back to the Christian tradition, especially I remember Calvin’s attacks on the enthusiasts, those who follow only the inner light and disregard all objective authority of the church, of the scripture and so on. Then it was enlarged by the rationalists, such men like Locke among others, and meant simply a man who has all types of pipe-dreams, one could say of religiously adorned pipe-dreams. And⁵¹ something of this sort is meant by Kant here, something absolutely transcending human reason and wholly irrational. But what is the specific difference between the philosophic chiliasm and the religious one? In the case of the philosophic expectation, the philosophic idea, that is can itself promote the actualization although only from afar. In the religious notion, Kant wants to say [that] the actualization is brought about by divine intervention and not by man, but in the philosophic expectation the philosophic idea itself may have a very important contribution towards actualization, although by remote control, because philosophers do not have political power and so on and so on. The passage is also important because it indicates that apart from greed, and avarice and so on, there is the possibility of an influence of reason on the process. This of course is not denied. What Kant means by this remark about philosophy, which has a slight antibiblical tinge.⁵² Let us read the note to the ninth proposition.

Reader:

Only a *learned public*, which is continued from the beginning uninterruptedly to our [own] time can certify to ancient history. Beyond that all is *terra incognita* and the history of nations which lived beyond that frame can only be started with the time that they entered it. For the *Jewish* people that happened in the time of the Ptolemies through the Greek translation of the Bible without which one would give little credence to their *isolated* reports.^{xvii}

LS: Isolated reports means of course not that the Bible contains only isolated reports, but that they are isolated from certification by a learned public, and the learned public of course existed where, in Kant’s opinion?

of history, *Outlines of a Historical View of the Progress of the Human Mind* (published posthumously in 1795).

^{xvi} Friedrich, 127; [8:27]

^{xvii} Friedrich, 129-130n. The reader adds “own” to the translation. Italics in original; [8:29]

Student: In Greece.

LS: In Greece. In other words, if Thucydides had told the⁵³ [stories] of Moses and David, then there would be no question, but since there was no Thucydides that's another matter, yes? So in other words, the credibility of the Bible begins only from the time of the Ptolemies, which is the first century B.C., and⁵⁴ everything before that, if not supported by external evidence like diggings, as they do it now, is untrustworthy.^{xviii} That is an axiom of modern higher criticism of the Bible, not only of Kant. Unsupported statements of the Bible have no claim to credibility unless they are supported by external evidence.⁵⁵ Well, of course today that is no longer normally put so bluntly, but one cannot understand the history of higher criticism if one is not aware of that. Whether Josephus, who was after all certified to some extent, could be regarded as a somewhat respectable witness is a moot question from this point of view. Yes?

Reader:

But one can trace backwards from this event once it is adequately ascertained and thus with all peoples. The first pages of *Thucydides*, says Hume, is the real beginning of history.^{xix}

LS: "Is the only beginning of all true history," which is a somewhat different statement. Kant fully accepts Hume's word. So you see here you have the difference between the religious millennium based on biblical promises, and the philosophic millennium based on verdicts of human reason.⁵⁶

Up to now,^{xx} he has not gone into any empirical proofs of his assertions. It is one thing to say that *a priori*, if there is a meaningful history it would have to come about by such antagonisms and so on, but⁵⁷ whether these antagonisms and the changes and revolutions they effect are progressive is in no way proved. Kant has said up to now only [that] a progressive movement *could* be brought about by the human antagonisms, but the human antagonisms are not necessarily conducive to growth. Now here in this proposition, Kant⁵⁸ has some remarks about it (what does it say, the next sentence?): "It only depends whether the experience can discover anything of such a way of the intention of nature." Can you go on there?

Reader:

I would say *some small part*; for this revolution seems to require so much time that from the small distance which man has so far traversed one can judge only uncertainly the shape of the revolution's course—^{xxi}

LS: Yes. Kant doesn't say revolution; or at least he does say revolution, but in the old sense. He says *Kreislauf* (what does that mean in English?), circular movement, circular movement, just as in the example of the circular movements or the quasi-circular movements of the heavenly bodies. Now we do not have the evidence required for predicting the future of mankind as we can predict the future⁵⁹ movement of a planet or something.

^{xviii} The Ptolemaic dynasty ruled Egypt from about 300 to 30 B.C.E.

^{xix} Friedrich, 130; [8:29]

^{xx} That is, up until the eighth proposition.

^{xxi} Friedrich, 127, italics in Friedrich; [8:27]

Let us skip a few lines, [to] where he turns to human nature.

Reader:

Our human nature has this aspect that it cannot be indifferent to even the most remote epoch at which our species may arrive is only that epoch may be expected with certainty.^{xxii}

LS: Yes. You see, in other words, while the theoretical certainty regarding progress is extremely small, such certainty⁶⁰ is of a very great moral import. It cannot be indifferent to us. If the heavenly bodies would move⁶¹ with greater irregularity so that astronomical predictions would have the status of meteorological predictions, that would not in itself be a serious thing for us; but if the future of mankind is⁶² a matter to which no man can be indifferent, provided this development can be expected,⁶³ *can be* expected with certainty. Next sentence.

Reader: “Furthermore—”

LS: No, not “furthermore,” “especially” or something like this. *Vornehmlich*.

Reader:

[Especially], it is less feasible in our particular case since it seems that we could hasten by our own rational efforts the time when this state might occur which would be so enjoyable for our descendants.^{xxiii}

LS: So in other words,⁶⁴ regarding the circular movements, the movements [in] the future of Saturnus or what not, we cannot do anything about it. But as regards the future of mankind we are not only much concerned with it morally, but within limits we can do something about it. If we know there is a trend in a favorable direction we can put our weight behind it. Yes?

Reader:

For that reason, even feeble traces of an approach to this state become very important.

LS: You see, “feeble traces.”⁶⁵ That is the only empirical evidence which Kant has. Some feeble traces of a development in the direction of the just national and international order. Yes?

Reader:

The states are (now) on such artificial terms towards each other that not one of them can relax its efforts at internal development without losing, in comparison to the others, in power and influence.^{xxiv}

^{xxii} Friedrich, 127, italics in Friedrich; [8:27]

^{xxiii} Friedrich, 127-128. The student follows Strauss’s correction and reads “especially” instead of “furthermore;” [8:27]

^{xxiv} Friedrich, 128, parentheses in Friedrich. [8:27]

LS: In other words, even Soviet Russia must promote the study of mathematics and physics. I mean, they cannot return to primitive savagery because there may be some danger in mathematical and physical studies to their government. That is impossible.⁶⁶ But Kant had apparently a somewhat broader notion,⁶⁷ as we shall see from the sequel.

Reader:

Thus, if not progress then at least the maintenance of this end of nature—

LS: Of *nature*.

Reader:

of nature, (namely, culture) is safeguarded by the ambitions of those states to some extent. Furthermore, a civic freedom cannot now be interfered with without the state feeling the disadvantage of such interference in all trades, primarily foreign commerce—

LS: Commerce, not necessarily foreign.

Reader:

and, as a result, (there is) a decline of the power of the state in its foreign relations.^{xxv}

LS: In other words, the most crooked and misanthropic Machiavellian *must* permit freedom of trade; otherwise he is going to lose the next war.

Reader:

Therefore, this freedom is gradually being extended.

LS: No, not “therefore,” but “this freedom is gradually extended.” But not “therefore”; it is a new consideration. In other words, you cannot leave it by freedom of trade. Yes?

Reader:

If one obstructs the citizen in seeking his welfare in any way he chooses, as long as (his way) can coexist with the freedom of others—

LS: *Can* coexist.

Reader:

one also hampers the vitality of all business and the strength of the whole (state). For this reason restrictions of personal activities are being increasingly lifted and general freedom granted and thus enlightenment—
^{xxvi}

^{xxv} Friedrich, 128, parentheses in Friedrich. [8:27-28]

^{xxvi} Friedrich, 128, parentheses in Friedrich; [8:28]

LS: General freedom of *religion* is granted. You see, Kant was absolutely aware of what was going on in Europe. The famous story of the victory, of the commercial victory of the Dutch by virtue of their religious tolerance is one of the major arguments in all these discussions in the seventeenth and eighteenth centuries. So in other words, you want freedom of—you want to have a strong state; everyone, every statesman (and especially the Machiavellian ones) wants that. All right, then they have to grant freedom of commerce. But this freedom of commerce is impossible without a high degree of freedom of religion, and even without a general freedom of religion. That he must grant without ceasing a bit to be that nasty, misanthropic Machiavellian, yes? I emphasize this so you see this strictly Machiavellian character of the argument—only some premises are changed. For Machiavelli freedom of trade was not so important, and freedom of religion still less. These were new premises. The new premises coming on top of Machiavelli were that the total power of the state is increased by commerce. By commerce. That settles the issue against Sparta in favor of Athens—the old controversy. But then we see furthermore that complete religious tolerance is the condition for freedom of trade—

[change of tape]

LS: These birds, these insects you know . . . pardon?

Student: Cicadas.

LS: Yes, but it means spleens, you could say. Without delusion and spleen; with some delusions and spleens. In other words, you can very well have these things, especially in California; that does not do any harm, because the overall thing is enlightenment. Yes? That is a great good. Yes?

Reader:

which must ever draw mankind away from the egoistic expansive tendencies of its rulers once they understand their own advantage.

LS: You see, only they have to be shrewd and must see that it doesn't pay to expand. Colonies may be a millstone around a state's neck, as someone put it^{xxvii}, and therefore there is no love for the happiness and freedom of the natives, but it is simply too expensive and it doesn't pay.

Reader:

This enlightenment and along with it a certain participation of the heart (are things) which the enlightened man cannot fail to feel for the good which he fully understands must by and by reach the thrones and have the influence upon the principles of government.^{xxviii}

LS: You see then we also have people who are not Machiavellians, who are decent men, and they see that the government abolishes a certain kind of harsh action, say, against religious

^{xxvii} Letter to fellow Cabinet colleague Lord Malmesbury in 1852. See Earl of Malmesbury, *Letters of an Ex-Minister*, vol. I (London, 1884), 343-44; cited in Stanley R. Steinbridge, *Journal of British Studies* 5 (1965): 122-139, 125.

^{xxviii} Friedrich, 128, parenthesis in Friedrich; [8:28]

minorities and this kind of thing. This enlightened man will say that is good; although it comes from the Machiavellian motive⁶⁸, it is in itself beneficial. And now gradually this decency will spread and may—nay, Kant says it *must* reach sooner or later even a king. And so then, you see, then we will have this solution, that we have this just ruler of whom he had spoken before. Do you see the ambiguity of Kant? On the one hand it is impossible, there is no guarantee in the process towards the truly moral order and; on the other hand there is such a guarantee. This ambiguity goes through the whole book.

Now here we see we have a causal—that is the trend which Kant observed. That was 1784, five years prior to the French revolution and about, say, eight years prior to the greatest series of wars which Europe had ever had, the revolutionary and Napoleonic wars.⁶⁹ But the emphasis has to be on the strictly non-moral character, the strictly Machiavellian character of the movement. A Machiavellian movement in a morally desirable direction, that is the clue to wisdom. A causal, deterministic trend, but that to which this trend points we know by our practical reason to be the just thing. Without morality, the state demanded by morality is brought about. Now then we have here a convergence of determinism, of the necessity, and morality . . . That is a pact supported by experience. Now what conclusion must a sensible man draw from that? It cannot be an accident. There must then be a hidden harmony between—if we call that the *is* and the *ought*, a hidden harmony, and the traditional name for that is Providence. But Kant does not usually call it Providence; he speaks of the purpose of nature. Behind the phenomenal nature which we observe and which the exact sciences analyze, there is⁷⁰ the *noumenal* background of nature [which] has a spiritual, moral character but that can only be divined. We do not know that. What we know is this and this [LS points to the blackboard]. That we know. The convergence of the two, the relation, is a mystery. Kant does not go beyond that.

The difficulty however is this, a great difficulty which I mention[ed] already now, that Kant is very ambiguous as to whether this process⁷¹ has in itself a moralizing effect. That it brings about better and juster institutions, Kant asserts very definitely, but that can be accompanied by the full preservation of Machiavellianism in the hearts of all. I repeat the statement which we will discuss later on when we come to the *Perpetual Peace*: the best, the just society does not require a nation of angels.⁷² The just society can be established in a nation of devils, provided these devils have sense. Sense means here only [that] they are shrewd . . . that is still here in the background. Now let us turn to the next paragraph, the ninth proposition. Yes, read the proposition for us.

Reader:

A philosophical attempt to write a general world history according to a plan of nature which aims at a perfect civic association of mankind must be considered possible and even helpful to this intention of nature.^{xxix}

LS: Yes, in other words,⁷³ the philosophy of history is itself a contribution to this end, just as Marx says; an analysis of bourgeois society is a contribution to its overturn. It is necessary and therefore, to come back to Kant,⁷⁴ not only are we under moral obligation to hope for this end, we are in a way enabled to work towards that end without revolutions—by writing such an essay for example, if we can do that.⁷⁵ But that is made clear again in this section that the teleology is

^{xxix} Friedrich, 129; [8;29]

presupposed, it is in no way proven. What is proven is merely a trend of society towards a juster society. That is the experiential fact. And then we know *a priori* what the just society is. But that there is something explaining this convergence is a mere *a priori* assumption,⁷⁶ which means in other words a morally demanded conviction regarding something which is in itself absolutely mysterious.

Now in this passage you can see⁷⁷ a brief history: “If one begins with Greek history.” Do you have that?

Reader:

If one starts with *Greek* history as the (one) through which all older and contemporary history has been preserved or at least certified, we may trace the influence (of Greek history) upon the formation and malformation on the body politic of the Roman people who devoured the Greek state. Again, (if one traces) down to our time the influence of *Rome* upon the *Barbarians* who destroyed the empire; one then periodically adds the history of the state of other peoples as knowledge of them has come to us through these enlightened nations; then—

LS: Yes, but he says, “if one adds them episodically,” and the word “episodically” is underlined. In other words, you come in the history of Venice at a certain point to Marco Polo [and] you mention that he⁷⁸ [went to] China and there were some trade routes and this kind of thing. But that is only episodically, that is not the nerve of the history. Go on.

Reader:

then one will discover a regular procession of improvements in constitutional government in our part of the world—

LS: Yes, in our “continent” would be more proper.

Reader:

in our continent which will probably give laws to all other (states) eventually.^{xxx}

LS: “To all other states,” yes. To all others, namely, to all other continents. You see Kant’s amazingly European orientation. That of course qualifies a bit the experiential development of the experiential thing. You see that it is assumed that this were true, that there was such a trend noticeable, say, from the Peace of Westphalia up to 1784.^{xxxi} Even if that were true, what about the rest of mankind? That makes sense only if you have a reasonable certainty that Europe will eventually give the law to all other continents, because otherwise they will go on—nature will achieve its end only in Europe, and not in China and other places. That of course we must⁷⁹ by no means underestimate.⁸⁰

^{xxx} Friedrich, 129-130. Italics and parentheses in Friedrich. Reader reads the passage with Strauss’s correction, which is in brackets; [8:29-30]

^{xxxi} The Peace of Westphalia (1648) ended the Thirty Years’ War.

I mention only a passage from⁸¹ Kant's *Anthropology*, where Kant refers to the fact that this perfect state must be expected with moral certainty,⁸² a certainty which is sufficient to make it a duty to work towards that just society. That is the real reason for the philosophy of history.⁸³ That this is a just society⁸⁴ we know *a priori*, by *a priori* knowledge, but that does not mean that we are under a moral obligation to work towards its preparation. This moral obligation arises only from the fact that there is a reasonable prospect of the establishment of the just society that we get through these experiential considerations. But Kant makes here a very important condition: this will take place if natural revolutions (that means here natural catastrophes) do not cut off the process suddenly. That is not excluded by Kant, and that has of course a very great consequence. Whether natural catastrophes will take place . . . we cannot know, given the imperfection of our knowledge of the system of the solar and stellar spheres. Now since we cannot know that⁸⁵ and it is really possible that it could happen,⁸⁶ the hope for the establishment of an ever-increasing approximation to the just society cannot have the status of the hope for immortality after life. Regarding immortality, science, [theoretical knowledge], cannot say anything⁸⁷ now or ever. So we are free to believe. Regarding natural catastrophes, natural science *may* be able to say something; that is not impossible. Therefore the moral obligation to believe in progress is smaller than the moral obligation to believe in the immortality of the soul. I will also come back to this later on.

Now let us read only one a very important passage,⁸⁸ the first paragraph of the ninth proposition:⁸⁹

Reader:

For what good is it to praise the majesty and wisdom of creation in the realm of nature, which is without reason,⁹⁰ and to recommend contemplating^{xxxii} that part of the great arena of supreme wisdom which above all contains that purpose, namely, the history of mankind, remains as a constant objection because its spectacle compels us to turn away our eyes in disgust and as we despair of ever encountering therein a completed rational end causes us to expect such perfection only in another world?^{xxxiii}

LS: That is a crucially important passage. There is an alternative to the philosophy of history.⁹¹ Kant makes this assumption, which I trust all among you who are mentally healthy will immediately grant: it is immoral to despair. Now if that is so, we must have grounds of hope. There are two grounds of hope which Kant regarded as most important. One is life after death. The other is ever-increasing perfection of human life on earth.⁹² By that I mean philosophy of history. If philosophy of history fails, the other still remains. But for some reason Kant wants both but with this difference: that only the immortality of the soul is an integral part of Kant's moral teaching, not the philosophy of history. And that is I think a clear statement, I believe, of the problem.

So this much about the text, or in connection with the text. Before we enter into a coherent discussion of the problem, I would like⁹³ to find out whether you have any questions which could be discussed now.

^{xxxii} In original: "them if"

^{xxxiii} Friedrich, 130, [8:30]

Student: Regarding the ancient parallel in the *Republic*, I wonder why . . .

LS: The answer to this could easily be given: learn German and read Kant's *The Presumptive of the Beginning of Human History*.⁹⁴ Kant gives an interpretation of the history of mankind up to the Flood, rewriting the Bible⁹⁵ very radically. To mention only the most striking point, the Fall was the greatest boon. Through the Fall man asserted successfully his equality in the raw with any rational being, God or angel, and other things of this kind. That goes much beyond Milton's famous end of *Paradise Lost*. How does he say it? The world was before them?^{xxxiv} I mean, Adam and Eve expelled from Paradise were not particularly . . . but what Kant does goes far beyond that.⁹⁶ I may have to refer to this writing later, but let us now turn to—yes?

Student: I'd like to ask a question about the relation between this process of historical development and freedom. If this historical development is in some sense a phenomenal process which is necessary, then what about the requirement of nature or morality that man develop himself as a being?

LS: But he develops himself in that way.

Same student: But he does so necessarily.

LS: In other words, you mean to say there is no perfectly free development here because⁹⁷ he is constantly confronted with the choice: develop or perish, yes? Which you say is not a good choice. I mean there is not a state of perfect freedom.

Same Student: Well, it doesn't seem to be a state of freedom at all if you conceive of the process as necessary in some sense.

LS: ⁹⁸I can only say that is one of the questions we have to take up. For the time being I would only say this: this is a wholly determined process. That is a wholly determined process in which however the difficulty is this:⁹⁹ it is the intention of nature that man develops his faculties. This he would not do if there were no incentives to such development, and therefore nature has arranged it [so] that man gets these incentives.¹⁰⁰ Nature gives him the challenges¹⁰¹ to which he responds, and that is his development. These responses are necessary according to this scheme. But qua responses¹⁰² they have also a certain character of spontaneity. I mean, it is man who develops these things, although he is compelled, you see.¹⁰³ True freedom, moral freedom proper, is not to be found in this process as such.

Now¹⁰⁴ let me try to answer this question: Why does Kant embark on a philosophy of history? And for those of you who are very fanatically political scientists, I make this remark as an apology. A political scientist who wants to understand the present scene must have an

^{xxxiv} Strauss refers to the conclusion of Milton's *Paradise Lost*: "Some natural tears they dropped, but wiped them soon; / The world was all before them, where to choose / Their place of rest, and Providence their guide. / They, hand in hand, with wandering steps and slow, / Through Eden took their solitary way." (Book 12, 645-649.)

understanding of Marxism. I believe every member of the American Political Science Association would subscribe to this proposition. But now if this is granted, one must add immediately that the more thorough one's understanding of Marxism is, the better. Otherwise we would not be scientists. But this requires [us] to go beyond Marx and not merely to the British economists, as most political scientists would immediately grant. But as matters stand one has to go back to German idealism, to Kant, to Hegel, [and] incidentally also to Fichte, of whom I do not want to speak now. That is really necessary.¹⁰⁵ And therefore we are doing our duty by studying Kant, especially that aspect of Kant which is immediately related to Marx, namely, his philosophy of history. You have no objections? [Laughter]¹⁰⁶

Here again is my question: Why does Kant embark on a philosophy of history? And I would like you to help me and find out whether my argument does not have flaws, because I have to learn something also from you. Now only one provisional question: Why did the turn to history take place *prior* to Kant? Prior to Kant. And there I would bring myself to this remark: the principle [that] we understand only what we make. We understand only what we make. Therefore to understand a thing means to understand its genesis. To understand reason means to understand the genesis of reason, and therefore also¹⁰⁷ all kinds of changes which reason underwent: the history of reason. That Kant entitled the last section of his *Critique of Pure Reason*,¹⁰⁸ "History of Pure Reason," is an indirect proof of this state of affairs, although I believe Kant¹⁰⁹ did not have this thought in mind. Man as we know him is civilized man. He has become what he is through a necessary process—the point where Kant fully agrees with Rousseau. So in this fundamental principle of modern thought, which was stated most simply by Hobbes, we have I think the primary and essential condition of this turn to history prior to Kant, this specifically modern turning to history prior to Kant. But we must in a way forget about that, although it works only in Kant because when Kant says [that] the understanding prescribes its laws to nature, as a solution to the problem of physical science, he states in a much more sophisticated way what Hobbes in his crude way had said: to understand means to make. Prescribing. The remark about the Copernican turn, you know, in the second preface to the *Critique of Pure Reason*.

Now let us then turn to Kant and see how the argument develops strictly within Kant. The point from which we must start is the difference between phenomena and things-in-themselves. That¹¹⁰ may be a wholly untenable and absurd premise, but it is *the* premise of Kant. Now this premise is not identical but equivalent to the distinction between necessity and freedom. The phenomenal world is ruled by strict mechanical necessity, and things-in-themselves would be free.

Now here a difficulty arises which I state to you in Kant's terms. The passage is taken from¹¹¹ the introduction to the *Critique of Judgment*.

Although there is an unsurveyable gulf between the sphere of the content of nature, as the sensible, and the sphere of the content of freedom, as the supra-sensible, so that there is no transition from nature to freedom. And so these worlds, as it were, are different worlds, the phenomenal and the noumenal worlds, of which the phenomenal world cannot have any influence on the second [namely—LS], the world of freedom. Yet, the

world of the thing-in-itself, the noumenal world, *ought* to have an influence on the phenomenal world.^{xxxv}

The *ought* is underlined by Kant. That is the moral ought. Our duty consists¹¹² [in acting] morally in the phenomenal world on phenomena.

The concept of freedom ought to make real within the sensible world that purpose which is imposed by the moral law; hence it must be possible¹¹³ to conceive of nature also in such a way that the legality of its form [meaning, say, the regularity that belongs to nature . . .—LS] must at least agree with the possibility of the moral aims to be effected within.^{xxxvi}

Now I will try to restate that last sentence a bit more clearly. Freedom ought to have effects within nature. That is not a wish; that is identical with an understanding of morality. We ought to act morally, and to act morally means of course to make changes within the phenomenal world. Take a simple case, an everyday case: you are under a moral obligation to execute a criminal, to effect a change within the phenomenal world. You can also take more common examples from your experience; that does not alter it at all. It must therefore be possible to conceive of nature in such a way that it agrees with the possibility of realizing moral goals within nature. If nature would make this absolutely impossible, morality would be impossible. There must be a ground of unity of the suprasensible which underlies nature, with morality, although this unity is not knowable either theoretically or practically. There cannot be¹¹⁴ more than intimations of this mysterious or secret harmony between nature and freedom.¹¹⁵ This harmony is *the* subject of Kant's *Critique of Judgment*, and Kant finds two types of phenomena which show that¹¹⁶ there is some hidden connection between the mechanism of nature and morality. The first is the beautiful and the sublime,¹¹⁷ what they call now our aesthetic experience. That is, as Kant tries to show, something which is not possible,¹¹⁸ which is a link between scientific knowledge and morality.

And the second phenomenon is the teleology of organisms, the well-known fact that you cannot possibly understand or analyze an animal if you do not know the function of this or that part in which you are interested. Function implies purpose.¹¹⁹ Kant understands that, of course.¹²⁰ Kant says that a teleological explanation is impossible, is theoretically unsatisfactory. The explanation must be via physical or chemical terms, as we would say. But¹²¹ we cannot solve the problem except in teleological terms. In other words, that this particular acid is consisting of these and these, having this chemical composition [that] is required for digestion—you see, you use this acid and you see how it affects chewed food, and then you see it does something to the chewed food which has then a beneficent effect on the body. The real explanation is the physical and chemical explanation. But¹²² when we are confronted with organisms, we cannot help thinking teleologically, although the teleology is not a genuine explanation. We cannot dispense¹²³ [with] teleology here, and that means, in Kant's language: We cannot dispense with studying organisms with reference to a supreme wisdom which has arranged things that way. You know there are the famous facts of an insect which depends solely on the seed of one particular flower which blooms only for one moment in the whole year, and this particular insect lives exactly so that at this single hour when this flower¹²⁴—I forgot the exact details, but you must have heard it. It is

^{xxxv} [5:175-176], Strauss's translation.

^{xxxvi} Ibid.

really absolutely fantastic. If someone speaks of a supreme wisdom he cannot be said to make a meaningless assertion, [though] it may not be a demonstrable assertion.

Now Kant goes beyond this.¹²⁵ It is very important where he goes beyond, not in the body of the *Critique of Judgment* but in the appendix to the *Critique of Judgment*. He raises there the question concerning another kind of teleology, not intrinsic teleology—the usefulness, say, of such and such a stomach or of such and such an animal—but the question of what are plants for, what are fruits for, and others. You can also take individual fruits. In other words, not an end within the species, but an end of the species. Kant calls that the teleology in the extrinsic relations of organisms. This is identical to the question of a final end of nature in producing organisms. And Kant says that the only [thing the] final end can possibly [be is] a being which is an end in itself, because otherwise you always become circular. You say the goats are for us but we are also for the lice . . . and you do not get a clear picture if there is not somewhere an end in itself and this end can only be man as a moral being.

Now this is confirmed by a passage which we read in the ninth proposition where he says “What is the use of admiring the beauty and the wisdom in the sub-human nature if there is no wisdom to be found in the history of the human race.”^{xxxvii} Kant does not use the word “history” there in the *Critique of Judgment*, but¹²⁶ it is not far-fetched to say that the teleology of history is the necessary culmination of the teleology of nature. But I must emphasize that this is not stated by Kant with this emphasis with which I state it now, except in this particular passage, but not in the *Critique of Judgment*,¹²⁷ [but rather] in its appendix. It is not an integral part of his whole teaching.

Now what follows from this regarding the status of philosophy of history, philosophy of history being the teleological contemplation of history from a moral point of view? The status of philosophy of history cannot be different from that of natural teleology proper. It would be, in Kant’s language, a regulative idea in the service of [a] theoretical mechanical explanation. In the case of animals, we look at it as a being doing things for some other purpose, in order to instruct the problem which the biochemist or biophysicist will solve.¹²⁸ Kant says the assertion of a teleology is theoretically impossible. The teleology cannot be more than a regulative idea, and yet Kant regards it as very important that we have to think teleologically when we are confronted with organisms. So the same would seem to apply to the philosophy of history. But we see that this is the wrong approach. The theoretical study of history is not in need of such a regulative idea. You can explain a war perfectly in terms of the conscious motives of the actors and of the phenomenal circumstances. There is no need to assume, for understanding this war,¹²⁹ an underlying purpose of which the actors were wholly unaware.¹³⁰ Say, the civil war—these conscious motives of Lincoln on the one hand, and of Calhoun on the other; and something came out which neither Calhoun nor Lincoln dreamt of. You can very rightly say [that] these were necessary accidental consequences which do not in themselves¹³¹ have to be meaningful. Kant also never says that.

Now in this passage in the ninth proposition of the *Idea*, Kant refers to the other world. The postulate of the immortality of the soul is the protection against the despair stemming from a non-teleological study of history.¹³² In other words, we study the history as practically all

^{xxxvii} Presumably Strauss’s translation.

historians study it without an assumption of a teleology, and then if we are sensible people we get despondent about the follies and crimes of the human race. But we have some comfort, we have some power to which we can withdraw, and that is that. Yet I draw from this the following conclusion: If the philosophy of history is to have a rationale, that rationale cannot be the need of a philosophy of history for the explanation of history. But this rationale must be also a postulate of practical reason, a postulate of morality, and that I think is absolutely necessary as the first step towards understanding Kant.

If there is anything not clear please do not hesitate to ask me because I really would like to make that clear. Mr. Cropsey, you have some difficulty?

Mr. Cropsey: . . .

LS: If the philosophy of history is a culmination of the teleology of nature, the teleology of nature has in Kant's doctrine the status of a regulative principle, a principle guiding our instructing of providence, but has no explanatory function whatever. In the study of organisms we need to think teleologically in order eventually to explain in physical or chemical terms. If we try to explain historical phenomena, we do not need such a regulative idea. The motives of the actors, the circumstances, yes, . . . are a sufficient explanation. Therefore the philosophy of history cannot have the same rationale as the biological teleology. If the philosophy of history is to have any rationale it can only be a postulate of practical or moral reason. Is this clear?

Mr. Cropsey: Yes.

LS: How can this be understood? We are obliged to act morally. That means in effect, to mention the main point, to recognize in deed the rights of man in every man. But if this is so we must have a moral concern with the establishment of a political order which is characterized by the recognition of the rights of man to the extent to which such recognition is legally possible. Is this clear? We must work towards such a just order, otherwise we are crooks from Kant's point of view. But on the other hand (and I will prove this premise when we come to another writing of Kant's) we must not engage in revolutionary activity, because revolutionary activity means conspiracies and conspiracies are not possible without lying and lying is absolutely forbidden. So we are reduced to this situation—you laugh about it, but it is not so easy to say. I mean, the wise laughs come easily to many of us and yet there is a problem there. We are morally obliged to hope for the establishment of the just political order. There is no contradiction here.¹³³ In other words, only a vicious man would not hope for that. Just as in ordinary life, a man—what is a malicious man? A man who wishes evil to other people, who enjoys it if they suffer. A good man is happy if other people are [happy].

Now we must then see whether this hope for the establishment of a just political order is fantastic or whether it has some basis in fact.¹³⁴ Because if it is fantastic, we are not be allowed to hope as sensible people. So we must try to look at history philosophically. We must approach history with an *a priori* premise of a possible teleology of nature, that nature is perhaps directed towards the establishment of the just social order. This is I think the crucial rationale of Kant's philosophy of history.

Now at this point I make a stop. Sometimes comparisons are very helpful, at least as a kind of an indirect test [of] whether it is sound. Now is this not a sensible statement, I mean, worthy of a serious thinker as Kant was?¹³⁵ Look at it yourself. Can you respect a man who is malevolent to the human race? You can explain it. You can say this poor man should be behind iron bars or he should be taken care of in another way, or you might pity him and all these sorts of things, but¹³⁶ your heart does not open when you see such a man. You can say: He has such great merits as a symbolic logician [laughter] that I forget about this nonsense he says about human beings. Sure, that is generous of you, but still it is something which needs an excuse, which is not in itself good. Now from this point of view, where is there a flaw in Kant's argument? You see Kant is very sensible. Kant does not say [that] we are morally obliged to hope for¹³⁷ the establishment of the just political order if we do not have any experiential basis for that. I mean, we are not morally obliged to hope for something absolutely fantastic and Kant tries his best—well, it is not so very long and perhaps not so very good—to show this trend. That is already a criticism of Kant but I am now trying to understand what leads him to make these remarks and we may then see whether his remarks are sound. And to repeat: If this would break down, nothing fundamental would change for Kant, because *the* hope which he needs as a morally acting man he has in the immortality of the soul, and therefore he has a refuge from which he cannot be driven.¹³⁸

I would like to put the question in this form: Why did this other great and serious man, philosopher, Plato, not say that?¹³⁹ Plato also would say, I believe, that we are obliged to act morally, and this¹⁴⁰ has necessarily political implications; but the political implications cannot be of such a nature that we are morally obliged or even entitled to tear down an imperfect edifice in order to establish a perfect edifice, but that we can hope—the term used by Plato, and by Aristotle—for the best regime is something for which men would wish or pray.¹⁴¹ One could almost say [that] they are equivalent for hope. So in other words, that a decent man would hope for¹⁴² the possibility of a good life¹⁴³ [for] man is the same as in Plato. Where does the difference come in?

Student: Wouldn't Plato feel that theoretically you could achieve some knowledge of what the just society would be like? And even though it would be extremely difficult and perhaps not perfect, it might agree with Kant . . .

LS: The content would be entirely different in Plato's case than in Kant.

Same student: But I mean he would think that there is a theoretical foundation, whereas for Kant there is absolutely no theoretical basis. It is based completely on the moral law, the need for such a thing.

LS: I see your point. I see your point.

Same student: He postulates the necessity for believing that it must be . . .

LS: That is a crucial difference. Plato's perfect society is construed out of a reflection on the soul of man, on the nature of man.¹⁴⁴ According to Kant that is impossible. That is a crucial difference. I just wonder whether we have to go so high in order to understand the difference. I

mean this; I wonder quite literally. I do not know. Perhaps we [can] find a more immediate reason where the difference would come in.¹⁴⁵ I think I really state only in different terms the same thing.¹⁴⁶ The link is the following consideration: for Plato speculative metaphysics is possible; for Kant it is impossible. Hence for Plato the speculative life can be the highest pursuit, for Kant it cannot be. The moral concern becomes *the* concern of man, not the speculative concern. Therefore a much greater weight is given to the question of the establishment of the just order than this question has in Plato. One could perhaps also start from the angle that in Plato, as well as in Aristotle, the actualization of the best order necessarily depends on chance. And there is no place in the Kantian deterministic order for such a thing as chance.¹⁴⁷ In other words, I only want to raise this question. And now Mr.—I forgot your name.

Mr. Sasseine: Sasseine. I was wondering why you couldn't have the same sort of rationale for the teleology of history that you have for the immortality of the soul? Does Kant have any basis in fact for the immortality of the soul?

LS: Yes, but no fact can possibly contradict that. It is absolutely impossible, according to Kant, for theoretical knowledge to say anything about the soul as soul.

Mr. Sasseine: . . .

LS: So now let me continue. All facts, including the facts possibly pointing to the actualization of a just society—in other words, including the facts which show a progress towards the just order—are parts of the realm of necessity. A trend (I cannot avoid using this word trend when I speak about what Kant says, although Kant never uses it) a trend towards the just society would have the character of a natural necessity, yes? Natural necessity. Yet at the same time it would be a moral trend or, a bit more precisely, a trend towards the morally required. There would be a convergence of necessity and freedom. Kant says that. Yet the mechanical system must in no point be interrupted. What would happen to the principle of the conservation of energy and so on, if it could? The convergence towards the moral goal must not be the work of morality. That would mean outside interference, interruption of the system. Hence it must be the work of amoral or immoral actions. The passions of greed, ambition, and the desire to lord it over other men or nations, they are the nerve of history.¹⁴⁸ Here is a difficulty which we may perhaps discuss later but which I mention now, as Kant emphasizes it in a passage to which I drew your attention¹⁴⁹ near the beginning of the eighth proposition: the progress¹⁵⁰ is helped by men who freely will it. The moral man who sees that without any illegality he can give a push in the right direction. Think of perhaps a simple servant, a morally alert man, a footman of this Machiavellian king,¹⁵¹ [and the king] finds himself¹⁵² on some hunting expedition or what not alone with that simple man, and the king [is] bored. [He] has a chat with him, and then this simple man, out of the simplicity and moral depth of his heart, tells him something which the king accepts on Machiavellian grounds, but here the action stems not from immoral [but] stems from moral grounds. So the moral thing does enter the picture. That creates a difficulty.

But what I would insist on now is only this: That I believe there to be a connection between Kant's radical distinction between the phenomenal¹⁵³ world and the world of freedom [that explains] why the historical process is in Kant's doctrine not essentially an intellectual process, but a process due to the passions. In other words, Kant is much more alert to the moral ambiguity

of intellectual progress. Intellectual progress is morally ambiguous, [as] you can easily see when someone makes an intellectual discovery in order to produce things which are harmful to human beings.¹⁵⁴ Take any other example. Intellectual progress is from Kant's point of view essentially morally ambiguous, and by the greater clarity achieved by Kant in this respect, he is able to say more clearly than his predecessors that the historical process in itself is moved by amorality or even immorality and yet in a morally desirable direction.

The study of history shows that the morally desirable trend exists. That is empirical fact. Hence our hope is not irrational. It is reasonable to believe in something like Providence guiding men without their knowing it towards a just order of society. We can say it is reasonable to believe in an invisible hand. That brings me to the question: What is the difference between Kant and Adam Smith, where also an invisible hand brings it about that men guided not by moral motives produce a social order which is morally desirable? These men motivated by a- or immoral motives produce, do something conducive to the common good—the common good, admittedly a morally demanded end. I know that. Mr. Cropsey alone, I believe, in this room is able to answer that question, but I will go out on a limb and try my answer on the basis of my great ignorance of Smith. I would say from what I learned from Mr. Cropsey's analysis that¹⁵⁵ Adam Smith's invisible hand does not bring about the state of society demanded by morality. Kant wants a convergence of the plane of passions not with institutions demanded by a low-grade morality but with institutions demanded by unadulterated, pure morality. Is this a fair statement?

Mr. Cropsey: Yes.

LS: You see now the great achievement of German idealism. I use achievement here in the "value-free" sense [laughter], meaning that it is a feat. Whether it is a feat for good or evil requires a further analysis. What happened prior to German idealism (you know, in the development from Machiavelli to Rousseau, roughly, and Adam Smith, who was a typically modern thinker) was a deliberate lowering of the moral standards. Virtue was no longer meant to be real virtue but a slave of the passions. There was an easygoing—I do not deny the benevolence of these men. It was very great. They really wanted to have men, but they thought they could have men best by telling them: Take it easy, lower your goals. Enlightened self-interest is a rather crude commonsense that will do much better than any moral heroism, which will create only trouble for yourself and everyone else. At any rate, a lowering of standards, a deliberate lowering of the standard. This was opposed by German idealism, beginning from Kant and culminating in Hegel.¹⁵⁶ The German idealists believed—and I proved this to you in a way by reading through the passage on Plato's *Republic* in the *Critique of Pure Reason*—they really tried to restore the high moral standards of Plato and Aristotle. There is no question about it. But they did this by combining these new standards with the alleged insights gained in this development between Machiavelli and Adam Smith. They are all incorporated in some way. You could also say that they interpreted already morality itself, however lofty, in a peculiarly modern sense. That is stated much too generally; that is much too general, of course.

But to come back to the more precise point:¹⁵⁷ Adam Smith . . . for certain very important purposes but not the morally highest purposes of man, such a society where everyone thinks only of himself and only the whole, as it were, which is unthinking . . . "Private vice, public benefit,"

was a harsh formula coined by Mandeville, but it is something of this sort.^{xxxviii} There is something very uninspiring and very dismal in this way, but if you look at the schemes of the German idealists, that is lofty. The play of the passions, avarice, and¹⁵⁸ the desire for dominion, and what have you—they are nasty things but they bring about a goal which the perfectly unadulterated, highest morality demands will be realized. In other words, they take the scheme which was developed on the way from Machiavelli to Adam Smith and believe it can be integrated into a—

[change of tape]

—which goes together with an undeniable moral dedication. I read in some Englishman's book about the Bolsheviks, where he spoke of their very high integrity.^{xxxix} He meant by that that [they] were not in any way self-seeking or petty or so. It was really a high dedication compatible with these peculiar means. Now I have of course almost lost the serious part of my discussion in something approaching the trivial. Let us recover as soon as we can the proper level of the discussion.

Student: I have a problem with the morality of human agents for Kant. If human agents in all their externals are part of the phenomenal world how can any of their actions be moral? Or free? Since every aspect of the phenomenal world is determined and unfree, the opposite?

LS: Man belongs to the two worlds.¹⁵⁹ Kant, I believe, has never solved this problem. You know there is a great obscurity there. But one way of putting it, which is not the Kantian way but which has become very fashionable afterwards, is this.¹⁶⁰ For example, that is the way in which this thing is stated by Collingwood in his *Idea of History* in the paragraph on Kant, but it is very complicated: when you look at man from the outside, any man (and to some extent you can do it with yourself), if you approach a human being as a mere spectator or observer, then you must proceed in the case of men in exactly the same way as in the case of a mineral or a plant. Nothing. Full determination.¹⁶¹ But if you are acting, you cannot look at yourself as a spectator. As an acting man, you know you have to do your duty or else to despise yourself. That is one way. In other words, two points of view correspond, take the place, as it were, of the two worlds. That was one way in which people tried to do that. One must consider for an understanding of that (and we will read some pertinent texts in the *Foundations of the Metaphysics of Morals*) this: from Kant's point of view, morality, your own *ought*, is not observable. A man can be thoroughly virtuous in the external sense. How can you be sure [that] he is not motivated by the desire for prestige, mere self-interest? And even if you say that these are extreme cases, try to make the man concerned also with consistency and not losing face. You know this problem. So in other words, it is impossible to know whether there was ever a human being who was really moral in the strict sense, because legality, as Kant calls compliance with the moral law in actions, that can be frequently observed but that can be very deceptive as to the soul of that action. This fashionable interpretation of Kant (rather fashionable) has this basis in Kant, that morality as such cannot be observed. We can never see, we can never know . . . just as in a case,

^{xxxviii} Bernard Mandeville (b. 1670) was a Dutch philosopher most well known for his *Fable of the Bees: or, Private Vices, Public Benefits* (1714).

^{xxxix} It is not clear who Strauss is referring to, though it could be Arthur Ransome's *Six Weeks in Russia in 1919* (1919) or *The Crisis in Russia* (1921).

you know—sometimes a man who is the greatest abomination from the point of view of legality can be a more honest man, ultimately, than a perfect gentleman. Well, the old biblical criticism of—that is part of this story.

Student: When you spoke before of the duty to hope for a perfect moral state, I'm not quite sure what that implies. For instance, in the case of a tyranny do you have to hope for it publicly, or do your intentions just have to remain pure, or something?

LS: Now let us start from the beginning.¹⁶² A moral man or a just man can be just, it seems, in any society, however unjust, because he would simply disobey unjust commands of the government. And that could very well mean death, torture, and so on, but that has happened and will happen. But I mean there is a certain not-necessary disproportion. It would be better if he would live in a just society.¹⁶³ I mean, while he may transgress, disobey manifestly unjust commands of the tyrant by merely being a member of the society and doing peacefully his private job, he somehow also contributes to the preservation of the tyranny. You know the objection which was raised to some Germans who could have left Hitler and who were absolutely anti-Hitler and still involuntarily were staying in Germany; it was used in argument and it was not so bad . . . At any rate, the thing which a reasonable man wants would be a just society where the laws which he has to obey are such that he can obey them. I mean, that makes no difference. Where does the problem come in? Is it a question of—you spoke of the case of a man who lives in an unjust society.

Same student: He has a duty, for instance, to hope for the overthrow of Hitler. Does he have to go about stating this hope or acting on it in any way, or is a mere hope enough for him?

LS: Yes, that is a very moot question.¹⁶⁴ I believe Kant would probably say he cannot criticize it by deed openly, he can only—if he is commanded to do something immoral, resist passively. He cannot do more than that. Otherwise that would already be an incitement to others. Kant was in this respect extremely old-fashioned. Mr. Cropsey?

Mr. Cropsey: . . .

LS: ¹⁶⁵I have never engaged in conspiracies and I personally do not know a single conspirator in my experience of men I have met, but my guess is that Kant would find this to be is a factual assertion, that a conspiracy is not possible without lying. These conspirators meet somewhere, say at eight o'clock in the evening at a certain house on 55th Street . . . [Laughter] Then someone asks him, invites him: "I must see you very urgently." "I can't break my engagement." "But it can't be as urgent as you say it is." . . . he cannot possibly tell. What will he do? In one way or another he will lie.¹⁶⁶ What about the servants, if there are servants present? They cannot possibly be told about what was going on, and they must be kept out of the house. The man will not say: You see, tonight we have a meeting of conspirators and therefore you must be out," [LS and class laugh]; but rather he will say: Why don't you go to the movies, there is a particularly fine movie there, which is an indirect way of lying . . . And from what I have heard of conspirators, and read, I have the impression they would not have the slightest difficulty as to this, regarding all kinds of¹⁶⁷ [disingenuousness] . . . by the way. Or take the simpler case of tyrannicide. You don't lie. Just take a gun—and the fact that you keep it covered until you use it

is not strictly speaking a lie, that is also a convenience [laughter]. Then you take it out and shoot. Can you? From Kant's point of view that means that you, without any authority, kill a man, murder him.¹⁶⁸ That the community would be happy that you did it does not dispose of the fact that you did not have a formal authorization from your community.

Well, Father Buckley knows these discussions from the theological discussions. Kant simply takes up here a very severe line taken by theologians of former times, not by all but by some theologians.¹⁶⁹ It is a part of the argument of Kant, because once you do away with that—I see your point, you are thinking of Marxists for example. The hoping business is replaced by doing something, by agitation, conspiracy, and so on. But even the Marxists need of course also—I cannot now develop that point, how one would have to restate this argument in order to arrive at the Marxist formula. These parts, I grant you, have to be dropped, about the moral impossibility of conspiracy and merely hope. That has to be dropped completely. But we are speaking now of Kant as a preparation on another occasion for Marx.

Now I would like to mention one point, because the time is already advanced. Why does Kant refrain from elaborating a philosophy of history? Because these casual little articles all lead to this. The passage in his so-called systematic works which touches on the subject is paragraph §83 in the *Critique of Judgment*. But the word history does not occur there even a single time, characteristically, and in addition this section to which paragraph §83 belongs is in the Appendix to the *Critique of Judgment*. So it is fair to say that the philosophy of history is in Kant marginal. Why is it only marginal?¹⁷⁰ The reason is this: the radical difference between nature and freedom, to which there corresponds on the moral plane the difference between legality and morality. Legality can be brought about by amoral motives, by all kinds of compulsions. Morality can never be brought about by compulsion.

Now Kant's thesis can be stated therefore simply as follows. The historical process as such can lead only to legality, to the establishment of a just order without moral livening: automatons. This does not detract from the morally preferable character of the just society. Think of such a simple thing as the abolition of torture. God knows what wicked and stupid and nasty motives some people have had who objected to torture, but it cannot be denied from the point of view of practical reason or moral reason [that] there is an absurdity in the institution of the torture—that you are in temptation to condemn innocent men merely because they are particularly responsive to severe physical pain. I mean, you do not want to find out who can withstand pain, you want to find out who committed the crime, and the torture is not only not a necessary but not even an appropriate means for finding that out. So in the same way, the just society as Kant defines it, including the League of Nations, is morally required but not in itself to themselves moral. The historical process can lead only to legality, to an automaton, to a soulless mechanism driven by enlightened self-interest. The men living in it may very well be morally inferior to some men living in unjust societies. Institutional progress is of the greatest moral relevance from Kant's point of view, and its moral relevance is the ground for his philosophy of history as distinguished from the otherworldly solution, the immortality of the soul. You are morally obliged to have an interest in the future generations on this earth, an obligation which is not covered by the belief in the immortality of the soul. But the radical difference between institutional progress and moral progress is the reason for the problematic status of the philosophy of history. Kant's full heart cannot be there because, as I say, it may lead [to] a pleasant Orwellian nightmare. By pleasant I

mean there will be no—you know, these awful things which Orwell, I was told, has described in his book. Big Brother and this kind of thing.^{x171} So it can be in a pleasant way, but it can be as soulless as that.

And what Hegel did, apparently (we can smell this from here), was that he tried to show, to prove, that this separation of moral progress from institutional progress is not possible in the way in which Kant did it. And my general guess is this: by moral men he means conscientious men. Conscientious men exist in all societies.¹⁷² It is conscientiously possible in a given state of affairs (that is Hegel's implication) to commit acts of cannibalism. These fellows in Mexico, the Aztecs, the priests and the others, we have no right to doubt that there were people among them who simply thought they were doing their duty in what they did. Well, they had a wrong notion of their duty. But their conscientiousness, you cannot—this you have no right to deny.¹⁷³ That may happen everywhere that a very conscientious—well, say, a very conscientious slave owner would of course behave towards his slaves in a decent way, but he would not have the slightest compunction in having slaves. Such people existed, without any question.¹⁷⁴ Think of religious persecution. Can we doubt that this was frequently done by people who were very conscientious? They could even be very humane men, given their premises; it was their duty to act in that way. Therefore conscientiousness is in this sense something strictly formal, very important but strictly formal. The question is that it must have the right content. The right content is acquired by historical progress, by the institutional progress. In Hegel's time a conscientious man, and in particular a conscientious public servant or judge or whatever it was, was never compelled to do anything (that is Hegel's contention) which was not also substantively right, whereas what the Aztec priests did was substantively wrong but subjectively right.¹⁷⁵ Therefore, so to say . . . conscientiousness is coeval with man. There are always people¹⁷⁶ who are concerned with doing the right thing and take the necessary troubles to find out what the right thing is. And to that extent Kant does an injustice to our race when he says greed and this kind of thing are the motives. No, the other, the respectable motives are always there too. Among fewer men, but they are always there.¹⁷⁷

So from Hegel's point of view, then, the institutional progress¹⁷⁸ guarantees in itself the completion of morality, because it means that in the final society no one¹⁷⁹ is compelled by the society and its laws to do something substantively wrong. Plenty of individuals will do it—he was not a Marxist, he did not say abolition of the state, abolition of the penitentiaries, and so on and so on. He has a lot to say about the virtues of vindictive justice, so that was a great point of Hegel.¹⁸⁰ That is generally speaking the line which Hegel took, and of course Marx goes much beyond Hegel and the point, the characteristic difference between Marx and Hegel as well as Kant is the abolition of the state (from this point of view, the withering away of the state). And that—I did not know this until a short time ago [LS laughs]—stems from Fichte. In this process of reflecting on freedom as self-determination, which Kant had and which you will see later, Fichte reached the conclusion that the ideal end of the progress must be a society in which everyone determines himself and where there cannot be any more place for any use of force.¹⁸¹ I am unable to say why this came in in Marx, but of course both Kant and Hegel were certain that human society, however perfect, will owe its very perfection to the existence of a rational state, government. But there was also in this viewpoint in the early nineteenth century, there was developed a moral anarchism sometimes by Fichte, who later on became a very extreme statist.

^{x1} George Orwell, *Nineteen Eighty-Four* (1949).

That is another matter. Something similar has happened, if not to Marx, at least to Marxism, but I cannot go into that.

There were other motives why Kant—my answer is very incomplete, naturally, but there may be other opportunities to come back to this question. I mention only¹⁸² two points which I have mentioned before but [will repeat] for completion's sake.¹⁸³ Progress is not a postulate of practical reason like immortality, because it rests on certain specific empirical premises. In the first place, the specific difference between man and other rational beings, mortal beings on other planets. We have read this passage.¹⁸⁴ And secondly, it rests on a hypothetical, theoretical premise, namely, if our planet will last. This cannot be morally postulated because it falls within the scope of theoretical knowledge, and therefore we can say that the cognitive status¹⁸⁵ of the philosophy of history or the idea of progress is lower than that of the immortality of the soul. Hence Kant did not make a philosophy of history.

But the deeper, [the] more immediately important reason for us today, I think, is Kant's awareness of the radical difference between institutional progress and moral progress, and that later on became *the* objection to Hegel on the part of such people as Kierkegaard and Nietzsche in different ways: that the assumption of the coincidence of institutional and moral progress means something which one could call philistinism. There is something which remains outside of all institutional progress and¹⁸⁶ on which the value of man alone ultimately depends. And therefore these people to that extent, these people continue what Kant had in mind. Now we must stop.

[end of session]

¹ Deleted "LS: This class... Here is... here is a copy again, whoever... Mr. Law?"

Mr. Law: Yeah, well I am going to need it again, I thought you wanted it...

LS: Only for [inaudible] So, let me see where we stand regarding the papers. No paper today. Then the next paper would be Mr. Holden's paper on *Theory and Practice*. It is a section... [inaudible]. Is this Theory and Practice in both national and international law? So that is to say parts 2 and 3.

Student: My version does not have a part 3, only a reference to constitutional law. But the Hastie edition does have the third part.

LS: But that was assigned to you. Is it too much?

Student: No

LS: Alright we will make an experiment next time and hear Mr. Holden's paper. If the material is too much to wield it completely, give Mr. Law another [inaudible]. If you look at it... [inaudible]

Student: I do indeed.

LS: Let me see? What do we do after that? We come to *Perpetual Peace* which is taken care of by Mr. Wilson and Miss Pews. And then we turn to the *Fundamental Principles of Morals* where we have three papers. I can read the names of Mr. Habbington and Mr. Sa, and I cannot read the name of the person who is supposed to read the second.

Student: The second one is mine.

LS: Oh, I wrote an 'H,' I see, if someone told me I could have read it. It looked like a 'U.' And then, I fear, we will be through with the whole course by then, but if we have some time left I think we should have at least one meeting in which we take up a certain very difficult question of Kant's theoretical philosophy. But there was something else. Now, is there anyone here, who is taking the course for credit, and who has not signed up for a paper? Because that is something which... for which I am responsible. Alright, then we can forget about that. And now let us see...."

² Deleted "and."

³ Deleted "Is this correct? Is this correct? **Student:** Yes. **LS:** Can someone bring us up to date, I mean, merely... not the interpretation but the mere assertions which Kant has made up to this point? I mean we could do that in a way by just reading aloud the... the italicized propositions. Well... Alright."

⁴ Deleted "must not look up...."

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- ⁵ Deleted “didn’t... wanted to develop men,...”
- ⁶ Moved “seemingly;” deleted “so.”
- ⁷ Deleted “what.”
- ⁸ Deleted “your.”
- ⁹ Deleted “in other words.”
- ¹⁰ Deleted “what....”
- ¹¹ Deleted “for....”
- ¹² Deleted “there is of course....”
- ¹³ Deleted “and there....”
- ¹⁴ Deleted “that this is... that....”
- ¹⁵ Deleted “which.”
- ¹⁶ Deleted “I mean there is no... Kant would say... I mean....”
- ¹⁷ Deleted “so.”
- ¹⁸ Deleted “man is... think of....”
- ¹⁹ Deleted “with....”
- ²⁰ Deleted “and these thing... now.”
- ²¹ Deleted “if he is not....”
- ²² Deleted “we... we....”
- ²³ Deleted “and.”
- ²⁴ Deleted “can become....”
- ²⁵ Deleted “that is....”
- ²⁶ Deleted “without a league of nations....”
- ²⁷ Deleted “of a... of a....”
- ²⁸ Deleted “Yeah, oh yes.”
- ²⁹ Deleted “do you have that? [student begins to read] No, no. That is all we need.”
- ³⁰ Deleted “you see when he says also... well....”
- ³¹ Deleted “whether these things....”
- ³² Deleted “the first....”
- ³³ Deleted “Do you have the passage where I... which I just read... the use... where he speaks of this situation? The use of all powers of the commonwealth for armament, the devastation which war achieves, but still more by the necessity to be constantly ready for war—do you have that?” **Reader:** “And the want which every state even in the midst of peace must feel—all these are means by which nature instigates attempts, which at first are inadequate, but which, after many devastations, reversals and a very general exhaustion of the states’ resources, may accomplish what reason could have suggested to them—...” [Ibid., 124] **LS:** No, no, much later. Much later.
- ³⁴ Deleted “which....”
- ³⁵ Deleted “be.”
- ³⁶ Deleted “you see, but if....”
- ³⁷ Deleted “toward war....”
- ³⁸ Deleted “therefore.”
- ³⁹ Deleted “I’m sorry I didn’t underline it, and so can’t find it now – is inevitable. That of course would be – yes,”
- ⁴⁰ Deleted “and.”
- ⁴¹ Deleted “sure you can also... but....”
- ⁴² Deleted “There is certainly a very [inaudible] here.”
- ⁴³ Moved “to the eighth proposition.”
- ⁴⁴ Deleted “here.”
- ⁴⁵ Deleted “in the....”
- ⁴⁶ Deleted “**Student:** I didn’t hear the word. **Strauss:** Chiliasm, or however you pronounce it.
- ⁴⁷ Deleted “has....”
- ⁴⁸ Deleted “between.”
- ⁴⁹ Deleted “Kant....”
- ⁵⁰ Deleted “comes....”
- ⁵¹ Deleted “that is....”
- ⁵² Deleted “I....”
- ⁵³ Deleted “story.”
- ⁵⁴ Deleted “we can... well....”

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- 55 Deleted “and some may....”
- 56 Deleted “Now, in this eighth... in this eighth proposition Kant speaks of....”
- 57 Changed from “and but that....”
- 58 Deleted “gives some....”
- 59 Deleted “of the....”
- 60 Deleted “has....”
- 61 Deleted “as... more....”
- 62 Deleted “a man....”
- 64 Deleted “it is really, because....”
- 65 Deleted “now Kant....”
- 66 Deleted “whether this justifies....”
- 67 Deleted “we saw....”
- 68 Deleted “but.”
- 69 Deleted “ya... and....”
- 70 Deleted “the thing in it... the....”
- 71 Deleted “is.”
- 72 Deleted “it can be....”
- 73 Deleted “it is not... we do... this philosophy of history has is in....”
- 74 Deleted “and therefore.”
- 75 Deleted “now....”
- 76 Deleted “and.”
- 77 Deleted “Kant is....”
- 78 Deleted “came... there was....”
- 79 Deleted “not.”
- 80 Deleted “I would....”
- 81 Deleted “the *Anthropology*.”
- 82 Deleted “which....”
- 83 Deleted “we cannot be... I mean.”
- 84 Deleted “that.”
- 85 Deleted “therefore.”
- 86 Deleted “we are... therefore....”
- 87 Moved “theoretical knowledge.”
- 88 Deleted “such....”
- 89 Deleted “‘Such a vindication of nature, or rather of providence, is a motive not unimportant to choose a specific point of view for looking at the world.’ Do you have that?”
- 90 Deleted “LS: is that... alright.”
- 91 Deleted “and that... because....”
- 92 Deleted “if....”
- 93 Deleted “whether you have....”
- 94 Moved “there.”
- 95 Deleted “and.”
- 96 Deleted “and but that is... I have to....”
- 97 Deleted “development....”
- 98 Deleted “there is no....”
- 99 Deleted “but... man....”
- 100 Deleted “but his... his....”
- 101 Deleted “and therefore....”
- 102 Deleted “they are....”
- 103 Deleted “that.”
- 104 Deleted “let us....”
- 105 Deleted “and one....”
- 106 Deleted “then I would like to....”
- 107 Deleted “the....”
- 108 Deleted “History of Reason.”
- 109 Deleted “did not think....”

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- 110 Deleted "is...."
 111 Deleted "the preface...."
 112 Deleted "to act."
 113 Deleted "to think nature also or...."
 114 Deleted "not."
 115 Deleted "the subject of this harmony...."
 116 Deleted "there is something...."
 117 Deleted "our...."
 118 Deleted "which is somehow."
 119 Deleted "now Kant says...."
 120 Deleted "that no...."
 121 Deleted "we cannot instruct the problem...."
 122 Deleted "in...."
 123 Deleted "in."
 124 Changed from "is it the butterfly—I forgot what it is—which... which depends absolutely on the seed of one particular flower—no, it is not the butterfly—a flower which blooms only for one moment in the whole year, and this particular insect—that these insects live exactly so that this.... [inaudible] at this single hour when this flower."
 125 Deleted "but very...."
 126 Deleted "we...."
 127 Deleted "and it is done."
 128 Deleted "that...."
 129 Deleted "to assume."
 130 Deleted "if you say, say."
 131 Deleted "to have...."
 132 Deleted "If the philosophy of history... no... yeah... no, period."
 133 Deleted "I mean."
 134 Deleted "that is our...."
 135 Deleted "I mean, really can you...."
 136 Deleted "you cannot really...."
 137 Deleted "that, of."
 138 Deleted "I would like to... you repeat your raising finger a minute later."
 139 Deleted "Kant...."
 140 Deleted "implies...."
 141 Deleted "which is...."
 142 Deleted "a good...."
 143 Deleted "of."
 144 Deleted "in Kant that is...."
 145 Deleted "I would state this... I...."
 146 Deleted "Kant's...."
 147 Deleted "But I do not... that...."
 148 Deleted "this is a...."
 149 Deleted "in the...."
 150 Deleted "helped...."
 151 Deleted "is...."
 152 Deleted "by."
 153 Deleted "and the."
 154 Deleted "is an intellectual progress and so on."
 155 Deleted "Smith's...."
 156 Deleted "So, it is no longer... it is no longer... they...."
 157 Deleted "These... whereas, Adam Smith...."
 158 Deleted "dominion."
 159 Deleted "there is something in... there are various ways...."
 160 Deleted "man qua...."
 161 Deleted "morality...."
 162 Deleted "if... I mean."

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- ¹⁶³ Deleted “because even....”
¹⁶⁴ Deleted “I don’t think that....”
¹⁶⁵ Deleted “well, is it not... I mean....”
¹⁶⁶ Deleted “the mere fact... well.”
¹⁶⁷ Deleted “disingenuity.”
¹⁶⁸ Deleted “you... you....”
¹⁶⁹ Deleted “I... yeah... that is of course... but... that is not....”
¹⁷⁰ Deleted “the radical....”
¹⁷¹ Deleted “but there can be....”
¹⁷² Deleted “there.”
¹⁷³ Deleted “it.”
¹⁷⁴ Deleted “now the same....”
¹⁷⁵ Deleted “the historical....”
¹⁷⁶ Deleted “who do not....”
¹⁷⁷ Deleted “and the question is how.”
¹⁷⁸ Deleted “is... has as much....”
¹⁷⁹ Deleted “has to....”
¹⁸⁰ Deleted “but that is...so in... in....”
¹⁸¹ Deleted “that....”
¹⁸² Deleted “that....”
¹⁸³ Deleted “that.”
¹⁸⁴ Deleted “Where is it now, [inaudible]?”
¹⁸⁵ Deleted “of the history....”
¹⁸⁶ Deleted “in which....”

Session 7: April 21, 1958. *Theory and Practice*

Leo Strauss: [in progress] —and that concerns the question why Kant turns to philosophy of history.¹ To make it more specific: What is the difference between Kant and the classics,² in this respect? Now in the first place, the supremacy of morality; in the second place, morality as such cannot give man satisfaction, and therefore the postulate of the immortality of the soul; and the third consideration, that morality is primarily recognition of the rights of man in deed. Such recognition requires obedience to law. But in imperfect societies there is a tension between the duty to obey the laws and the content of the laws, for example, in a way, all human society.

From this there arises the moral demand for the disappearance of this tension between the duty to obey the laws and the non-moral or immoral content of the laws. This disappearance cannot be brought about by the conscious action of man according to Kant's argument, because it would require a revolution, conspiracies, lying. There is no moral way to bring about³ [the] disappearance of this tension. Yet this disappearance must be believed to come about naturally, i.e., not miraculously. Hence this can be done only in a continuous process, because nature does not make jumps. One could raise this question: Why cannot the disappearance of the tension between the duty to obey the laws and the content of the laws be brought about by the conscience of man? Does not precisely Kant teach thou canst for thou oughtst? Is this intelligible? You can, you have the power, because you are under a moral obligation. And if we are under a moral obligation to work for the establishment of a just society, we must face the possibility of that.

. . . Kant obviates this by asserting the moral duty⁴ to obey the established government and never to lie. Therefore, since our duty to work towards the establishment of the perfectly just society conflicts with the primary moral duty not to lie, it must be questioned. One could of course achieve the same result by asserting the powerlessness of reason over against the passions. In the classical philosophy, Plato and Aristotle, the problem was solved by reference to chance. The realization of the perfect order depends on chance. Now chance is replaced in this modern thought, seventeenth century and so on, by regularity or lawfulness, and in this particular case the regularity or lawfulness of the progressive process. The progressive process is the quasi-moral parallel to scientific determinism. Chance is disposed of in the first place by scientific determinism. But then there is something that remains of course and these are what we call the historical accidents, and⁵ these irregularities and chance occurrences are integrated into the progressive process. I thought I should add these points to the points I made last time, and now we may perhaps come back to these things in our discussion. And now I ask Mr. Holton to read his paper.¹

You left the question of judgment⁶ somewhat vague, [although you saw rightly that this is a crucial question]. It is difficult to settle that on the basis of these readings but I will take it up very soon. I would like to mention only one point. You mentioned something which amounted to the right to the pursuit of happiness. I do not believe you used that expression but you meant that, did you not?

ⁱ Mr. Holton reads his paper; the reading was not recorded.

Student: I think I mentioned that the sort of order that would result would in effect make this possible. I didn't say that it is a right. I'm not sure of that point, but I think that it would create an environment in which this sort of thing would be possible and encouraged.

LS: Yes, but one cannot help thinking nevertheless in reading this of the right to the pursuit of happiness as being in Kant's mind.⁷ And one thinks immediately of the Declaration of Independence. And Kant was naturally aware of these things. But it is perhaps not unimportant to mention this very strange fact, that the notion of the right to the pursuit of happiness as *the* basic right of man is of German origin. That is not generally known, I believe, so I would like to mention that. I have read a book by a Frenchman called Chinard, at Princeton, on the Declaration of Independence, I believe it was, in which he makes an extremely profound and sagacious remark when comparing the French Declaration⁸ of the Rights of Man with the Declaration of Independence: that the French did not mention the right to the pursuit of happiness.ⁱⁱ And that was obviously because [LS laughs] the French are an old people, you know, who are too experienced to believe in happiness, whereas the Americans as a young people naturally believe in happiness. In other words, the frontier versus Versailles or something of this kind.

As a matter of fact one can show that this goes back to a German natural law teacher who was quite well-known to Germans, named Christian Wolff, the leader of the Enlightenment in the schools in Germany. In Wolff's *Natural Law*, which must have appeared in the 1740's, there is an explicit statement to the effect that all natural rights can be reduced to the right to the pursuit of happiness and this can be made *the* basis of the whole doctrine. And to illustrate this a bit I give two examples that occur to me, of this natural right doctrine of Wolff. There is a natural right to adorn one's body by artificial means—in other words, a natural right to cosmetics. On the other hand, there is a natural right prohibition against avenging the glory of God against blasphemers. That is the spirit of European rococo in a nutshell. There is, you know, a kind of super-Americanism which tries to discover the roots of the Declaration of Independence in very specific frontier experiences in the Appalachians or wherever it was, but one has to know a bit about the European prehistory. I thought it would be proper to mention [it] in this connection.

Now I will turn to our subject and see⁹ if we can make a transition. We are in this seminar primarily concerned with Kant's philosophy of history. Now Kant's philosophy of history, as we have seen, presupposes a clear notion of the perfectly just civil society. The progress is a progress towards this perfectly just civil society. It also presupposes a clear notion of the law of nations, or perpetual peace. Now these doctrines are developed systematically in Kant's *Metaphysics of Morals*, of which we will discuss a part next time. But Kant develops these notions also in his essay "On the Common Saying: 'This may be true in theory but it is useless or worse than useless for practice.'" I have to translate this so complicatedly because of the German *taugt nicht*, namely, either it is useless or it is worse than useless, good for nothing. *Taugt nicht*. If that saying were sound, Kant's own theory, namely, the theory of the perfectly just society, might be useless or worse than useless. Therefore he has to show that this saying is wrong.

Now Kant states first the problem in the following terms. I have to repeat chiefly what Mr. Holton said but perhaps I can add one of the other points. Now by theory Kant understands here

ⁱⁱ Strauss might be referring to *La déclaration des droits de l'homme et du citoyen et ses antécédents américains* by Gilbert Chinard (1945).

first a system of practical rules, if those rules are thought as principles, and hence in a certain generality and if they abstract from a variety of conditions, for example, a general mechanics as abstracting from friction. Practice is not every manipulation but that¹⁰ [effecting] of a purpose which is thought as in compliance with some general rule. In other words, if you are bitten by a mosquito and kill it, that is not practice proper, that's an action. But if you would do this in compliance with some general rule, that is to say, after he had given some thought to the problem of the killing of mosquitoes and developed a theory,¹¹ and with a view to that, then it would be practice proper. Even a perfect theory would require a mediation in order to become practicable, and this is the act of judgment. For in what does the act of judgment consist? In subsuming this case here to a general rule. For example, let us assume we have a theory of mosquito killing: to recognize this thing which happens to you now as being bitten by a mosquito, and to subsume it under the rule, would be an act of judgment. A man lacking in judgment could have a perfect theory of mosquito killing but would in given cases be incapable to say whether he was bitten by a mosquito or by a flea, for example, which might require [LS laughs] a different theory. No better example than this occurs to me at the moment, but I hope you get the idea. A judgment is not supplied and cannot be supplied by the theory.

But now we come to the crucial point: there cannot be rules for judgment. For let us assume, for qua rules they would be general, and we would need a new act of judgment for subsuming the case under the rule of judgment and this would go on *ad infinitum*. It would be a vicious infinite regress. From this it follows there can be theoreticians who can never come to action because they lack judgment. Judgment is therefore a natural gift not subject to any rules. So in the very best case we need judgment. But it also happens that the theory itself is not perfect, that it is incomplete and therefore useless for practice. That of course is clear: a wrong theory or a very imperfect theory is a very poor guide for practice. I think one could perhaps find some examples in present day political science of some of these models.

Now if we look at a practitioner, an intelligent practitioner, he supplies the defect of the theory and therewith tacitly completes the theory. That is to say his good practice as distinguished from the imperfect theory is based on an implicit perfect theory, and being a mere practitioner he may not be able to spell out that theory, and¹² [yet] his awareness may on the whole be superior to that of the man who has only an imperfect theory. This Kant of course also admits. No one can pretend to be the practitioner of an art and yet despise theory without admitting in the act that he is an ignoramus in his own art.

Now these ignoramuses are a nuisance . . . but there are other people who are worse, and they are the pseudo-sophisticates who despise schools and their theories in the name of the world. It is very interesting that this species¹³ no longer play[s] such a role in our modern world, so greatly has the prestige of science, including social science, arisen. Well, at one time when I was confronted by certain excesses of social science, I thought [that] sooner or later the businessmen who give the money must rebel. But in the meantime I have been told that it is an absolutely hopeless hope, because the need of the business man and God knows . . . in social science, this kind of thing is so deeply ingrained that they will hope against hope. But in former times—and I suppose you all know from experience also, such people who come to despise the theories of the schools in the name of knowledge of the world¹⁴ say that the teachings of the schools consist of

empty ideas and philosophic dreams. One must also admit that the schools also have changed. They do not give you any more empty ideas, but *models*. [Laughter]

But Kant does not deny that there may be empty ideas which are indeed thinkable but which cannot be given, as it was. They are thinkable because they are not self-contradictory, but which cannot be given because there is no corresponding experience to them, and therefore¹⁵ such things are useless in practice. An example of what Kant means here—he is not speaking here of morals—for example, non-Euclidean geometry, prior to its application in physics and theory of relativity and so on. One could say that this is a mere speculation of mathematicians which has no bearing¹⁶ on practice whatever, but today of course the view has prevailed that there is no speculation of mathematicians (and I think this is universally recognized even among the businessmen), which cannot issue in practice and therefore basic research in mathematics must be encouraged. But you see, we are here in an older period and we have to make an effort to understand that.¹⁷

The point which Kant makes is that this is all right regarding what we may call theoretical theory (theory in the theoretical fields), but a theory which is based on the concept of duty, a moral theory, cannot possibly be useless or misleading for practice. So in other words, if someone figures something out in mechanics or somewhere that may very well be an empty dream—the problem of the *perpetuum mobile* would be such an example; that is, if someone would figure out that something of this kind might be possible under conditions which can never be given, however, that would be an empty speculation. But as regards moral theories, the problem does not exist at all. For a given course of action will never be our duty if that course of action were not possible in experience. If we know that something is our duty, we know by this very fact that it is feasible.¹⁸ Kant makes this qualification: That if a course of action is necessarily possible in experience either completely or in indefinitely close approximation, for example, the perfectly just society is possible in experience; not now, but it is possible in an infinitely close approximation. No theory based on moral principles can be confirmed or refuted by experience. Experience would always mean experience up-to-now, and it is vulgar and narrow, Kant asserts, to judge of future possibilities from experience up-to-now. I think this is again a point where the adversaries whom Kant attacks have ceased to exist. Today every proposal, every possible social or technological future, is regarded as possible. People will say that we do not know how we will finally come to Mars and perhaps establish big empires on Mars sixty years from now, or a hundred years from now, or whatever it is; and regarding any social experiment. This has now disappeared—very interesting. The significance of experience up-to-now, which was a bulwark for Hume and a pillar for human orientation and judgment, has ceased to have the importance which it still had in Kant's time.

But to come back to the main point, if a moral theory—of course Kant does not mean by a moral theory a theory excogitated by a professor of moral science, he means the true moral theory, the theory giving expression to what reason tells us would be our duty—such a theory can never be confirmed or refuted by experience. This implies of course that we have a purely *a priori* knowledge of the moral law with all its political implications. Its rational character guarantees its feasibility. There is no need for judgment in the way in which it exists in theoretical matters. Let us take a very simple example. Let us assume that the proposition “Thou shalt not steal,” is a moral law. Now we are confronted with that in a given case. What do you have to do? Stealing is

wrong. It is substantially so extremely simple that you cannot think of judging.¹⁹ Stealing is immoral, I'm about to steal: even a child can do that. If you still call this judgment²⁰ it is certainly not anything which requires any particular natural gift, yes, any particular gift.

Student: Would Kant consider that judgment might enter in a case like this, in the difficulty of identifying a particular act of stealing? Certain business practices might very well be undecided whether or not it is stealing.

LS: Kant tends to deny that, because he would say the fellow who moves so close to stealing that he would require a very great expert to assure you that he is not stealing, is already a dishonest man.²¹ I will give later on an example which Kant gives in one of these texts.

Now I would like to make an historical observation . . . the date of publication, as Mr. Holton mentioned,ⁱⁱⁱ is 1793.²² You know what 1793 meant: the enormous excesses of the Jacobins were over. What was²³ the exact date of Robespierre's execution, do any of you know? I think early in 1793 but I cannot say for sure.^{iv} At any rate, the French Revolution, the great effort to establish the rights of man in all their purity, had been led to what Kant of course regarded as a terrible disappointment. And prior to that, long before that when Kant was still in a state of complete enthusiasm for the French Revolution, someone wrote a book called *Reflections on the Revolution in France*, in 1790.^v Now we find here a remark on this subject of theory and practice. I believe—without having a shred of evidence and therefore I really should not call it belief—I regard it as possible that this was *the* epoch-making action against the French Revolution, and which had an enormous influence all over Europe, especially in Germany, [and] that the real opponent whom Kant had in mind was Burke, whom he never mentions. I cannot prove that. One could investigate, perhaps, if there were an indexed edition of Kant's letters, which I do not know. One might be able to see whether he had read that.

Student: Towards the end of the essay on constitutional law he seems to be stating Burke's position almost exactly as something that is undesirable.

LS: Yes, but of course you must not forget—on a lower level, say on the level of the clever bureaucrat, this argument could also be made, you know.²⁴

Now I read to you a few lines from Burke's *Revolution in France*.

These metaphysic rights [the rights of man—LS], entering into common life like rays of light which pierce through a dense medium are by the laws of nature refracted from their straight line. [In other words, whenever you try to establish the rights of man you must somehow dilute them—LS] The nature of man is intricate, the objects of society of the greatest possible complexity, and therefore no simple disposition or direction of power can be

ⁱⁱⁱ The student who read a paper in this session.

^{iv} Maximilien Robespierre (b. 1758), Jacobin leader during the French revolution. He died on July 28, 1794.

^v Edmund Burke, Irish Member of Parliament.

suitable either to man's nature or to the quality of his fiat. When I hear the simplicity of contrivance aimed at and boasted of in any new political constitutions I am at no loss to decide that the artificers are grossly ignorant of their trade or totally negligent of their duty. The pretended rights of these theories are all extremes, and in proportion as they are metaphysically true they are morally and politically false.^{vi}

That is an extremely strong statement. Here, theory is said to be not only useless but worse than useless: "In proportion as they are metaphysically true they are morally and politically false." And I think that because Burke had expressed these views in such an extreme way, much more than any ordinary administrator or bureaucrat would. I think the natural enemy is Burke, without being able to say whether he was in fact the enemy Kant had in mind.²⁵

Of course one could give a milder interpretation of Burke but, to bring it a bit closer to²⁶ Kant's point, one could say that Burke meant that the theory of right in question is not a true theory, but he meant also that the fundamental error underlying that particular theory was the belief in the possibility of an *a priori* theory regarding political things. And these theories developed by men like Condorcet and Rousseau were of course not technically *a priori* in Kant's sense, because they were all based on an empirical principle such as happiness or self-preservation; but in a looser sense of the word they could well be described as *a priori* theories because they were not based on any political experience but only on some fundamental facts of human nature known by experience, say, self-preservation. Burke rejects all these kinds of theories: politics is an empirical science, which means in more practical terms [that] all sorts of political arrangements, for example, a hereditary nobility, may be legitimate under certain conditions, whereas theories,²⁷ like those of the French Revolution and of Kant, make such statements [as] that the hereditary nobility is illegitimate under all conditions, without looking at the conditions.

I take another passage, from Montesquieu, *Considerations on the Causes of the Greatness of the Romans and of their Decadence*.²⁸ It is just an accident that I think of that; there are many others one could take.

When the government has a form established a long time and things have^{vii} settled down somehow it is always prudent to leave things in that state because the often complicated and unknown reason which make that such a condition has lasted may that this condition will maintain itself still, but when one changes the whole system one can remedy only those inconveniences which present themselves in theory, and one leaves other inconveniences, which practice alone will make one discover.^{viii}

^{vi} Edmund Burke, *Reflections on the Revolution in France, and on the Proceedings of Certain Societies in London Relative to that Event*. (London: Seely, Jackson, and Halliday, 1872), 60-61.

^{vii} Strauss says "taken on" here and then corrects himself to say "settled down."

^{viii} Montesquieu, *Considérations sur les causes de la grandeur des Romaines, et de leur decadence* (Paris: P. Didot l'aîné, 1815), 160-61. Strauss's translation.

Now what does he say there? Again, the complexity of political matters. What one can know theoretically, i.e., in advance of the working of those reforms, is something different from what you can only find out by experience of those reforms, and therefore it is ignorant or criminal to act on the basis of a theory in political matters alone. So this is the position which Kant attacks on the assumption that there is²⁹ a natural public law, a public law established by pure reason, which has the same moral status in principle as the moral law.³⁰

I will say a few words about the first essay, which is in some ways interesting. It is a very brief statement, but also a very difficult statement of Kant's moral philosophy proper. I will mention only a few points. It deals with the relation of theory to practice in morals. The point which Kant makes is, against the contemporary German professor, that one cannot explain morality in psychological terms. For morality is based on freedom, and psychological explanations presuppose the mechanism of natural necessity. A psychological explanation is impossible. Now the totality of psychological motivations can be reduced to the formula "the desire for happiness." Morality is radically distinguished from the desire for happiness.

Morality, or duty, means the limitation of the will to the condition of universal legislation to be made possible by an assumed maxim regardless of the object or purpose.^{ix}

Now I will explain this. It is not as difficult to understand as it seems. What does Kant say? When do you act morally? When you act exclusively out of a sense of duty, and not because we expect some worldly benefits, or some benefit, any benefit, from obedience. But how do we recognize our duty? Answer: whenever we want to do something and we do not know whether it is right, we make [the situation] clear to ourselves. We can do this without any sophistication. We can simply say, Now, if someone else would do it—what would you say if someone else would do it? That we can state in more precise terms.³¹ In all our actions we can find that they are based on a maxim, on a major premise of a moral syllogism. For example, if I am in financial straits and plan to rob a bank (or a cafeteria to take the most recent example), then my maxim is this: if I am in need then I may try to get money by hook or by crook. That is the maxim on which I act. And then I make a simple test.³² I give this maxim the form of a universal law, so that it would run as follows: whenever a man thinks he is in need, he is under a moral obligation to get money by hook or by crook. And then, Kant says, I see the impossibility. We will discuss this argument when we come to the *Foundations of the Metaphysics of Morals*, but I state now the principle of it. The universalization of the maxim is *the* test of the morality or immorality of the maxim. A maxim which is not universalizable is necessarily immoral.

Now Kant develops this and had developed this before in some other writings, and this German critic, Garve, says that this theory is much too complicated to be of any use for practice.^x What Garve meant was this:³³ Let us instead start from considerations of happiness, which everyone understands, and then in a given case, by simple considerations [one can see that] it is not conducive to my long-range happiness to steal. That is a reflection of which most men are easily

^{ix} *Theory and Practice* (1793), [8:279-280]. Strauss's translation.

^x Christian Garve (b. 1742), well-known philosopher of the Enlightenment. Kant's essay on theory and practice was a kind of response to Garve's critiques, as Strauss spells out.

capable and that is that. Kant denies that. Kant says precisely [that] his moral doctrine shows the simplicity, the infinitely greater simplicity of moral decisions than of prudential decisions.

We get the following case. Someone has a deposit in hand, the owner is dead and the heirs know nothing of it; nor can they possibly ever hear of it: say they live now in New Zealand. Now explain this case to a child of eight or nine years, and at the same time add that the man who now has the deposit has come without his fault just now into a complete decay of his fortune. He sees around himself a sad family [of wife and children] depressed by poverty³⁴, and that he could get out of this misery immediately if he were to appropriate that deposit. At the same time this man is philanthropic and benevolent, whereas those heirs are rich, selfish, and at the same time luxurious and extravagant, so [laughter] it would be as well as if this addition to their fortune would be thrown into the sea. And now one shall ask this child whether under these conditions it could be regarded as permitted to use this deposit for his own benefit. Without any question the child will answer: No! [Laughter] And instead of all the reasons, he can only say this: it is wrong. That is to say, it conflicts with duty. Nothing is clearer than that—

[change of tape]

—and my reputation as an honest man would not be very useful for this, but these considerations are very unpleasant but other difficulties would enter. If you would embezzle the deposit to get out of the trouble . . . you would become suspect if you would make a display out of it because people would wonder where you got the money from. And if you proceed slowly³⁵ your misery may increase so much that you would not get any benefit at the end of it. In other words, considerations of happiness are absolutely ambiguous because of the uncertainty of the future and the inability to know all possible developments. The moral case is of the utmost simplicity. That is the basis for Kant's assertion. Now of course the application of this to politics is a matter to which we will come later. Let us first consider . . .

Now what would you think? Is it so absurd that every eight year or nine year old child would immediately see that? And at the same time there are infinite potential difficulties. Let us assume that there is a family, the mother is ill and needs an operation immediately, and there is only a selfish physician who refuses to take his knife out of his case if he does not make a certain amount of money. And such people do exist. So he is confronted with a difficult question: Shall I kill, shall I be responsible for the death of the mother of the children? And that may itself cause terrible moral problems: let us assume that they are girls, and they may very well become prostitutes because of that. On the other hand, we have a good conscience by having returned the full sum and so on. In other words, I believe judgment is here in this immediate interest due. That is all one could say. There are cases of the utmost simplicity, without any question, but they are of no great interest. But there are cases where surely only experience and prudence, as it was formerly called, is required. Without discernment the moral law does not speak in simple cases. And that is the first consideration we have of course.

As I said, we will turn to the second essay which deals with the relation of theory and practice, and public law, which is as it were the macroscopic example for the microscopic sob story which we have just heard. Now Kant wanted—or would you like to bring up anything to this point? There may be people who have these notions that it is really extremely simple to settle all moral

questions. Mind you, an eight or nine year old child: Do not forget that. Kant might in a pinch retract that and perhaps we must give him that freedom, but that he *could* say it is very revealing. I mean, for example, how is a normal eight or nine year old child able to distinguish very clearly between what he wants to do out of compassion and what he does out of duty? After all, from Kant's point of view what you are guided to out of mere compassion has nothing to do with duty.³⁶ Think of that poor child [who] should know that compassion is an utterly irrelevant consideration; only duty. That's some remark. Yes?

Student: . . .

LS: I am inclined to think in the same way. Yes,³⁷ I believe that even in Rousseau, who prepared Kant in various ways, you cannot find such a statement. Now is there anyone of us—because that question is of great importance. It is in a way a test case for the whole theory, but it is not the whole theory. Yes?

Student: . . . because in our actions, considerations of what other people can do enter. We consider the possibility in our moral act of what the other men shall do, while Kant didn't consider that law . . .

LS: I don't know what you mean. Do you mean primarily an other-directed morality? [Laughter]

Same student: No. Suppose³⁸ I intend to give the money back, but now I know that this money shall not be used well, so I think it might be better to let it go to some charity . . .

LS: Yes, that is another matter, but in this case you would not keep it for yourself.³⁹ Take a somewhat more extreme case: if the deposit is a gun and this fellow has become insane in the meantime, then according to a very competent opinion, you are forbidden to return the deposit to the owner. Yes, you know? That is clear. Now the case of this extravagant fellow, your case, it is not quite as extreme, because one could rightly say that it is not your duty to be responsible for the transactions of an adult person if you are not his tutor. But still, if you give it to the uncle there is no question. I mean, then you certainly would not embezzle it. But here we are concerned with the question where a man may touch a deposit for his family's needs, maybe even for his own needs, and where the case is of such complexity that we would not, if it were up to us and if it depended on us—in the case of someone else where there is no interest of our own in the case—[we] would not, could not honestly say that [he is] a crook. Kant's implication of course is that if he did not return the deposit under these conditions he would be a crook, which is I think a very harsh statement. Yes, Mr. . . . ?

Student: One of your earlier statements, that if we know we ought to do something then we know that it is possible, that somehow feasibility is guaranteed by rationality . . .

LS: Or morality. But all right.

Same student: . . . I mean it sounds always that those are in the wrong order, that if we know we ought to do it then we know it is possible.⁴⁰ One would think first we'd ask whether it is possible.

LS: No, that is what Kant tries to avoid.⁴¹ And you can say that he has taken care of that problem really *a priori*, because all questions of feasibility deal with the phenomenal world, and that is theoretical knowledge. But the moral law transcends the phenomenal world.

Same Student: But the moral action takes place in the phenomenal world.

LS: Yes, but what does this mean? Well, you must not misunderstand. For example, you see someone drowning and, you know, you feel that it is your duty to save that person. But it is very stormy, very far away, and you know it is a hopeless case; then of course you are under no obligation to do it, but that is another matter.⁴² The old formula for that was: a serious intention to do it in case of physical impossibility. That is another matter. But of course here also the question comes in, especially in political questions where what is the use of good intentions, you know, of the constant obligation to have good intentions, if there is no practical possibility? To that extent the questions are related as you indicated.

Same student: But I can't see how the rationality guarantees feasibility, simply because you would not have a duty . . .

LS: Because the duty does not contradict itself in such matters. There are spheres in which reason leads to contradictions and where theoretical reason oversteps its boundaries, but not that.

Student: How can any *a priori* knowledge be couched in such terms as state, or citizen, or sovereign; that is to say, how can we know *a priori* that anarchy is impossible since the only thing that prevents anarchy from being possible is that our notions of happiness conflict with anarchy? . . .

LS: I would state it as follows: Must not one presuppose that man is a social being, for morality? And is it not primarily an empirical fact, or at any rate, is it not in itself, even if it is not empirical simply, it is a theoretical insight preceding moral knowledge proper?

Same student: But no knowledge concerning states or . . .

LS: But I can show you how Kant can do that. The moral law itself says that morality consists in the fact that your maxim can be universalized, can take on the form of a universal law, i.e., of a law valid for *any* rational being. You do not have to know that there are rational beings, strictly speaking.

Same student: . . .

LS: No, then Kant would simply say that this is an empirical fact, that you—oh, no, anarchy is impossible; I thought you meant mere solitariness. Let us assume you find that the moral law dictates to you to become a member of the society and you try—you look around, and you live on an island surrounded by an ocean and there are⁴³ no other human beings. Then of course you cannot fulfill it, just as you cannot fulfill the duty of beneficence with money if you do not have any money.

Same student: No, the question is not whether it is possible or not, but whether knowledge of anything to do with the state is possible *a priori*.

LS: It is morally impossible⁴⁴ from Kant's point of view, even if it were physically possible. Morally impossible. Kant does not decide. I think he would regard it as possible. He speaks of some people in the South Sea Islands, and for all he knew (and for all I know, for that matter), they could very well have lived anarchically, but that meant also immorally or at least pre-morally. Take up the question later on. We will come to it.

Student: Isn't it possible to say that probably Kant is right in his basic principles; that is, it is easier to make judgments about right and wrong than it is to make judgments about complicated empirical consequences—but that complications would arise in moral judgments where they conflict, and that the case of the deposit is a case possibly of the conflicting of several moral duties?

LS: ⁴⁵From Kant's point of view there could only be a conflict between conditional duties and unconditional duties, and therefore the conditional duties have to give way. In other words, there cannot be an insoluble conflict of duties.

Same student: But if I return the deposit . . .

LS: For Kant that is really a simple case. Your duty says to return it and your heart says no, but your heart has nothing to say.

Same Student: But what about my duty to treat other people as ends and not as means? I seem to be treating some people as means to my own end.

LS: No, no, no. The deposit means something which belongs to Mr. X or his heirs, and no other consideration enters into this transaction. Of course this man has also duties to his family, and if he cannot get the money he may beg. He is free to do so. Whether he will be successful or not, that of course has nothing to do with the morality of these actions, only whether he has good or bad luck.

Same student: He doesn't conceive of real moral conflict?

LS: No, no. When he gives his favorite case,⁴⁶ which is of course controversial morally, of the two men on a shipwreck; and they are on a plank, and the one pushes the other away and this fellow drowns, and he is saved. He has committed a murder. He has killed an innocent man. There is no question for Kant that this is a moral judgment on that, and Kant says only [that] these cannot be punished by courts . . . that for certain considerations, but that has nothing to do with the immorality of the act itself because it cannot be punished by the courts. It is impossible to bring it under human or positive law because no one is likely to obey it out of fear of human law. I mean, should he be hanged afterwards or drown now? And the drowning now is a practical certainty, the hanging later is uncertain. So it would not be a wise law; therefore one should not make a law of this kind. But for Kant it is a clear case of murder.⁴⁷ Sartre gave once the case of a

Frenchman, you know this case, in occupied France. The mother was the only non-collaborationist in the family and he wanted to join the Free French, and that he felt was his duty. And then in order to do that, his mother would die because she would be alone with a collaborationist family. And so if there was a conflict, Kant would absolutely deny that it is a conflict of duties. He is under no obligation to go to London. He has to obey the government for the time being, and therefore he cannot contribute to the death of his mother. You can say that that is Kant's privilege to say so, but still the point is whether Kant's doctrine is not in these matters consistent.

Same student: In this sense, that existentialism does not prevent Kant . . .

LS: ⁴⁸That is an easy question. Existentialism, to the extent to which it articulates—because what Jaspers says about these matters does not reach the level of articulateness and therefore we cannot really discuss it^{xi}—to the extent to which it is articulate, it simply denies⁴⁹ Kant's fundamental assertion that the purely formal categorical imperative will supply all men with identically the same moral principles.⁵⁰ I do not know how they get away with this, because fundamentally what they have is also⁵¹ formal. You know, that is a right of human nature. But this is a long story.

Student: What if a man who has deposited his gun asks [for] it back and says, Oh, by the way, I'm going to shoot so and so—

LS: You cannot return it because in this case⁵² you are cooperating with a murderer. And that is a higher duty, a higher duty. I do not want to keep the property. I give it to a neutral party, namely, the police, and tell them the reason why I do not return it to you. You do not steal, you do not embezzle. That is a simple case.

Same student: But what if you simply suspect?

LS: Well, if you have a ground of suspicion I think Kant would say not to take any chances; go to the police, and tell that man—I hope he was not your friend—that you gave it to the police. You cannot have it, and I told them I would not give it to you because I suspected you wanted to shoot X.

Student: . . .

LS: ⁵³It is a hard case, I would not deny that. But for Kant it would not be, because the citizen does not have to make political decisions. A political decision has to be made by the government and the citizen has to obey the government.⁵⁴ I do not know how Kant would have judged the actions of the Resistance in France—I don't know, you know, whether he would not have condemned⁵⁵ it as immoral since the legal government, Pétain, prohibited it. I do not know.

^{xi} Karl Jaspers (b. 1883), influential German psychologist and philosopher. He coined the term *Existenzphilosophie*.

Student: I wonder, aren't there problems with finding which universal acts you are going to subsume the case under, like in this case maybe the Frenchman might say that this is not really the government, or is this really the government, this kind of usurper . . .

LS: No, you cannot. I am sorry, that is decided by the rational—well, let us wait, we will get a simple answer to that. The question cannot arise.

Student: When someone is confronted with alternatives of action . . . and there are two moral principles, one subordinate to the other; but in the case of a rational decision, does the situation itself dictate to, or contribute to the decision?

LS: Well, surely, but that would not in itself affect the morality of the action. For example, the eight or nine year old child would not be able to say . . . yes, you have to go to the police and give them the gun, but he would know that he cannot return the gun to that man under these conditions. I mean, if he is aware, if he were present—no, I believe a *good* eight year old child would say: I am sorry, my father is not at home, I cannot give it to you. And if the father had some sense he would have locked up the gun, I think, so it would really be no problem for the eight year old child. But let us not lose ourselves in all kinds of questions which arise, because you will get some really macroscopic examples when we come to Kant's rational public thought, that is to say, of the rational moral law in the strictest sense.

Now Kant makes this point, and that disposes of Mr. . . . 's argument, I think. The only society the establishment of which is an absolute and first duty is civil society. It is not⁵⁶ as Locke and Rousseau and, by implication, Hobbes had said, we are fools if we do not enter society. But Kant says it is a moral duty; therefore civil society is the only society which is itself an end, an end which every human being *ought* to have. He is not free to—anarchism is immoral. Let us see. [LS writes on the blackboard] The end, civil society, is a right of man under public law to compulsory power. As a moral being you are obliged to respect the rights of men. You cannot effectively respect them and have them respected except under government. As far as in you lies, you do everything to make possible the degradation and enslavement of your fellow men in the absence of government.

Student: . . .

LS: Kant asserts this. Now shall we first continue? A right is a condition of external freedom. You cannot [make]⁵⁷ any move—I mean, for every moral action, you need some external freedom, be it the freedom to return a deposit, where you have to take it out, and the freedom to save a drowning man or whatever it may be. You need freedom of movement, external freedom. Now right is a limitation of the external freedom of each to the condition of his agreement to the freedom of everyone else, insofar as that limitation is possible in accordance with or through a universal law.

If we start from the angle of morality,⁵⁸ we are not free to act morally and to act in any way if we have no freedom of movement, external freedom. Therefore there must be freedom for every human being. But if everyone were free⁵⁹ to act as he pleased, there could be no freedom, no certain freedom for anyone. Therefore the freedom of each must be limited to the condition that

it is compatible with the freedom of everyone else. A simple example: the freedom to drive a car is limited to the condition that everyone else can drive a car . . . If you could not drive, you would make all kinds of fantastic movements with your car which would prevent any other man from driving. And the implication is furthermore that this limitation must take place in accordance with or through the universal law and not by arbitrary acts from time to time, because otherwise there could be no guarantee that the freedom of everyone would be secured equally with that of everyone else.

So⁶⁰ the phenomenon from which Kant starts is freedom. Freedom in itself is amoral. It must be limited in order to become moral. This is the primacy of freedom, or to use a clearer and stronger term which Kant uses in the *Idea of a Universal History*, in the fifth proposition: “the greatest possible freedom.” If you limit freedom (that is implied) you have to show a good reason for limiting it. The burden of proof rests not on him who claims the freedom but on him who limits the freedom—a thought with which every one of you is thoroughly familiar from daily practice, especially of the ADA^{xii}. Only⁶¹ such limitations of the freedom of anyone are permitted and are required for making possible the same freedom for everyone else.⁶² If you take the freedom of selling heroin and you say, Well, I give everyone else the freedom to sell heroin, why is this nevertheless not a legitimate freedom from Kant’s point of view? Because the freedom to sell heroin means really the freedom to pursue one’s happiness in a specific way, namely, the seller of heroin tries to get money. That is one way of pursuing happiness, by selling heroin. Yes? Now this freedom to pursue his happiness⁶³ exactly interpreted—namely, in terms of freedom to sell heroin—is incompatible with the kid’s pursuit of happiness, because they get into trouble. Therefore the legislator is free to take away that freedom.

Now this notion of freedom is purely *a priori*, which means it is not derivative from any previous end. No freedom *for*. That is the crucial point. Kant, I think, is the classic formulator of the freedom which is not freedom for a purpose. That is constantly emphasized. Why? We must listen to Kant’s explicit reasons. The only end which could precede right is happiness, and happiness was of course the starting point of all other natural law doctrines preceding Kant, whether you take the Thomistic form or you take the Lockean form. Whether, in other words, happiness means substantially virtue, or whether happiness means comfortable self-preservation, both meant happiness. Kant opposes both schools of natural law by his complete divorce of right from happiness. The reason is [that] happiness is radically subjective and empirical; therefore what X understands by happiness is something entirely different from what Y understands by happiness—the argument of Locke already and of Hobbes to some extent. And as you may remember, Locke did not make the pursuit of happiness a basic right, but only self-preservation or comfortable self-preservation. And his principle was this: While there is an infinite variety of opinions as to what constitutes happiness, there is a crude and sufficient agreement as to what constitutes the conditions of happiness, namely, life, liberty, and property. And therefore if we guarantee life, liberty, and property, we have an objective standard, a standard admitted, if not universally, at least generally because most people see the verity that in order to be happy you must be alive, you must be free, and you must have some means of support. Happiness, being entirely subjective, cannot justify any legitimate compulsion. Clearly, if you compel a man to act in a given way because you say that it is for his happiness, then he can justly reply that what you

^{xii} Strauss may be referring to the “Americans for Democratic Action” and their support of civil rights in the 1940s and 1950s.

call happiness, I regard as unhappiness. There is no standard for judging that. You see, these important elements of present-day social science relativism is already in Kant, but much older than Kant, already in Locke. Now let us turn to a specific passage.⁶⁴

Reader:

This right of freedom belongs to man as the member of the commonwealth, insofar as he is a being who is capable of having rights—^{xiii}

LS: No, “as man, this right of freedom belongs to him, the member of a commonwealth, qua man, insofar as man is a being who is capable of rights.” But there is a word which I omitted in German: *überhaupt*. Who as such—who as such—is capable of rights.^{xiv} Now what does this mean? Man as man is essentially a being who is capable of possessing rights. That follows from the fact that he has duties. I am speaking to you Mr. . . . especially. The fundamental phenomenon is the moral law. By this I know that I am subject to a universal law to which every other possible rational being is subject. Therefore I have a right derivative from these duties, I have rights with a view to any other possible rational being, necessarily. I do not have to answer at this stage the question whether there are in fact any other rational beings.⁶⁵ If a man has no rights, everyone could do what you please with him. But to have human rights means to be free and to be restricted in one’s freedom only to the extent to which that freedom itself requires it, namely, because your freedom might be endangered or restricted, by the freedom of others—by possible others; if you don’t want to think of human beings, the possible others—and therefore there must be a way to guarantee men freedom⁶⁶ [consistent] with other possible rational beings, and that is right. I mean that is all; you can say law—the German word *Recht* means⁶⁷ just, right, and law. That is just as the Latin word *jus* . . . It cannot be changed.

Now⁶⁸ what are the consequences of the very idea of right? The freedom of everyone. The freedom of everyone, and that means that no one can interfere with this freedom on the grounds of⁶⁹ [their own happiness]. What Kant wants to say is this . . . if people restrict the freedom of other men, they frequently do it without any regard to the other fellow’s happiness. Well, think of any criminal in or out of jail. He interferes with your freedom and is perfectly willing to make you miserable provided he gets what he wants. And everyone would say that he has no right to that. The interesting cases are those where people interfere with your freedom out of care for your happiness. That is a point which Kant wants to avoid, because if a man has a right to restrict the freedom of another man out of care for that other man’s freedom, that means, politically speaking, the resignation to paternal despotism. Whether he has the paternal despotism in a state or whether he has it in a faculty does not make any difference; it is paternal despotism. There are people, I believe somewhat irrational . . . but some people simply do not like to have a paternal despot merely because they think: I want to do it my own way, and even if I make it rather more complicated I prefer that freedom to that imposed happiness. Kant regards this not merely as a preference but as an absolute necessity, because every compulsion based on a man’s notion of what constitutes the happiness of another fellow is subjective and therefore cannot be the basis of

^{xiii}*The Philosophy of Kant: Immanuel Kant’s Moral and Political Writings*, ed. Carl Friedrich (New York: Modern Library, 1949), 417; [8:291]

^{xiv} “Dieses Recht der Freiheit kommt ihm, dem Gliede des gemeinen Wesens, als Mensch zu, so fern nämlich ein Wesen ist, das überhaupt der Rechte fähig ist.”

lawful compulsion. The only possible limitation is the equality of the restriction and its universality. If all men [or all members of society] are limited in their freedom⁷⁰ by a universal law, then no just complaint is possible, so that in the first place freedom, and in the second place equality. Equality means that no one can compel anyone else except through the law. The crucial practical implication is that hereditary inequality is *a priori*⁷¹ [un]just. In other words, equality of opportunity, as it was called after Kant, is a demand of natural public law.⁷² Kant has nothing against inequality due to other reasons—inequality of property, for instance, or inequality of mind, etc.—but the inequality due to heredity, which means [that] the access of a very gifted man to high governmental office is blocked by the wholly accidental fact that he is not a nobleman, there is no reason for that; all reason is against it.

You see the great difficulties which arise here. I mention only one point. Studies were made in the nineteenth century, and I think which are today generally admitted, that the feudal order in its origin was an absolutely sensible order. In other words, that a part of the population undertook the defense of the rest. And this defense, given the military technique of the time, required a certain . . . cavalry . . . and these men naturally, as being the only defenders of the community, had to get special privileges. The whole administration of justice and whatever else must be given to people who are armed. Therefore these substantive considerations entering into the character of the society, whether it does not require these or these arrangements, are disposed of by the simple and unqualified remark [that] inequality due to birth is unjust under all conditions.⁷³ One could of course immediately raise the question, which is often raised: What about inequality due to property? And if you say, all right, every man should be free to earn as much property as he wants^{xv}, i.e., equality of opportunity, then what about inherited property? Well, this problem has been disposed of by certain laws in the twentieth century, but Kant did not take this into consideration. A very strange and not *a priori* principle of distinction between hereditary rank and hereditary property. One sees here already a great difficulty coming in.

Student: On what grounds does Kant make the distinction between a minor and an adult?

LS: That is⁷⁴ an empirical question, but all right. The *a priori* statement speaks only of beings capable of using their reason. Now whether X or Y is capable of using his reason is—the whole question regarding X [is] an empirical question. But it raises the question of subsumption, as we said before, namely, in an empirical case. By the way, where he speaks of equality in the second paragraph of the section, there he says the equality of men in the state, as the subjects of the same, is compatible with the greatest inequality both of size and degree of their property, and of bodily or intellectual superiority, or one over the other. Do you have that? So much so that the well-being of one depends very much on the will of the other, for example, the poor on the will of the rich, so that the one must obey and the other command. The example [here is] as the children to their father, the woman to the man. [You] see, Kant never thought of an equality of the two sexes, Miss A. The equality is strictly among men, but you are not surprised because that was generally known in former times. And a person of your sex—how was she called who began this movement in England in the late eighteenth century?^{xvi} I mean, Kant was in a way very negligent of that question, that is true.

^{xv} There is a break in the tape here. The text in this section is taken from the original transcript.

^{xvi} There is a nearly inaudible exchange between LS and Miss A, in which LS tells an anecdote from a novel by Balzac.

Now what he would say by the way is this, regarding the children. If the father compels the child, that of course he does not do according to Kant entirely by his own power; that is a power which the law has given to him. No one has any compulsory power which is not due to the law. Now a just law, a good law, would permit compulsion of the child by the parents and of the wife by the husband, but would never tolerate compulsion of one adult by another adult, because that would be done by the sheriff and other public officers who do the compelling as an action of the commonwealth.

Here is a passage before he turns to self-sufficiency, or however it is called.

Reader:

No man may enter into the class domestic animals, which can be used for all services the master pleases and which are maintained in service without their consent as long as the master wishes, even though he is subject to the restriction not to cripple or kill them (which may, as with the Indians, be sanctioned by religion). Man may be considered happy in any condition if he is conscious that his condition is due to himself, his ability, or his earnest effort or to circumstances for which others cannot be blamed. But . . .^{xvii} if his condition is due to the irresistible will of another, and if he does not rise to the same status of others who, as his co-subjects, have no advantage over him as far as his rights are concerned.^{xviii}

LS: That is a hard proposition, is it not? I mean, that the only thing which can make men miserable is if the law prevents them from being able to rise to any position to which⁷⁵ [their] talents entitle them. In other words, if poverty prevents him—. Why should legal inequality be a greater reason for happiness or misery—mind you, I am not speaking of morality now, only happiness or misery. Why should legal inequality be a greater reason than, say extreme poverty, for feeling miserable? That is, I think, an empirical question. Rousseau thought that way.

Student: . . .

LS: No, happiness cannot be. Nothing can be said about happiness *a priori*. In other words, what I am driving at is this: that somehow the consideration of happiness does enter, that this doctrine of equality and freedom as he presents it makes it possible for everyone to be happy. This consideration somehow comes in⁷⁶ [as] a kind of afterthought. I looked at a book by the only present-day Kantian I know, Professor Ebbinghaus,^{xix} formerly at Marburg, who is the only one who is still a Kantian (not a neo-Kantian, but a Kantian) and^{xx} he formulates Kant's principles simply as follows . . . the fundamental right is the right of man to seek his happiness as he understands happiness. So in other words, there is no right to happiness. Clearly not. You cannot demand from society that it makes you happy. But the fundamental right is to *seek* happiness, the

^{xvii} In original: “[he may not be considered happy]”

^{xviii} Friedrich, 419, parentheses in Friedrich; [8:293-294]

^{xix} Julius Ebbinghaus (b. 1885), professor of philosophy primarily at Marburg and one of the most influential Kantians of the twentieth century.

^{xx} The tape resumes at this point. From this point the transcript is based on the remastered audiofile.

pursuit of happiness as you understand happiness. But of course the crucial implication is that it must be compatible with the same right in everyone else. So happiness is somehow presupposed but as a remote condition rather than as a necessary implication. Whether this will work out we must see.

Now we come to the third point that we must raise, the self-sufficiency or independence. Independence is the better word.

Reader:

The principle of the autonomy or self-sufficiency of a member of a commonwealth as a citizen—

LS: No, autonomy is really not a good word. I would say independence.^{xxi}

Reader:

that is, as a co-legislator, may be stated as follows: As regards legislation, all who are free and equal under pre-existing public laws must be considered equal, but not as concerns the right to give these laws. Those who are not capable of exercising that right are nevertheless, as members of the commonwealth, obliged to obey these laws and are thereby entitled to the protection of the law, but not as citizens.^{xxii}

LS: Let us see. Now what does this—in other words, while every man has the right to freedom and equality not all have the right to the vote. On what does the right to vote depend?

Student: Fundamentally on being sort of your own master and not being obliged to serve anyone except the commonwealth.

LS: In other words, under certain economic conditions . . . that is already a difficulty, how such things can enter a strictly *a priori* doctrine. Yes?

Student: . . .

LS: Yes, but here one could say this is an *a priori* doctrine, and then looking at the empirical arrangements of man he sees that these and these empirical arrangements are incompatible with that, but here we have a part of the intrinsic *a priori* order, which makes a property qualification of some sort absolutely essential. How does this follow? In other words, Kant, like every other political teacher when it comes really down to a political problem, must introduce prudential considerations. I mean, that was⁷⁷ the old argument of Jeffersonian democracy, of Rousseau; it was the same thing. A property qualification of some kind—he who is not, has not a certain economic independence, either by having landed property or a shop owned by him, who is a hired hand or otherwise an employee, is not capable to have full citizen rights. Kant accepts that.⁷⁸ I think this is the point where we can⁷⁹ get a more concrete picture of the impossibility of such a purely *a priori* doctrine. Of course you could say that post-Kantian democracy has been

^{xxi} “die Selbstständigkeit (*sibisufficiencia*).”

^{xxii} Friedrich, 419-420; [8:294]

altered and therefore that it is a much stricter *a priori* doctrine, you know, by abolishing all property qualifications it has gotten rid of this self-contradiction of Kant.⁸⁰

He discusses^{xxiii} the case that for example the domestic servant, the shop assistant, even the barber are not members of the state and have no right to vote. But on the other hand the tailor, who makes me a suit, he can be a citizen. And also the wig-maker, to whom I give my hair, he is a citizen. But [not] the barber.⁸¹ And he concludes: "I confess it is somewhat difficult to determine the conditions,⁸² to raise a claim to the status of a man who is of his own mind."^{xxiv83} You see here Kant himself admits the great difficulty of drawing a line on strictly *a priori* grounds. It is of course impossible. The consideration was very simple; the consideration was of course partly the interest of the propertied people not to be out-voted by the needy, and partly the consideration that in order to be able to judge of matters of common concern you must have some experience of your own of managing things which the merely hired man would not have. He is economically a kind of child, so to speak. He gets a fixed salary just as a child gets an allowance.⁸⁴ Such notions were underlying this. And Kant accepts what was in fact a political and prudential consideration, he accepts them as *a priori* doctrines. This is of course absolutely impossible.⁸⁵

Now we come to the doctrine regarding the legislative body. Last paragraph of this section.

Reader:

All who possess the right to vote must agree on this basic law of how to arrive at public justice; [for if they did not] there would be a conflict of law between those who agree to it and those who do not, which would necessitate a still higher level principle to decide the issue. Since each general agreement cannot be expected of an entire people, only a majority of the votes must be considered to be the best that can be attained. In a large nation even this majority will not be that of the voters, but merely that of delegates representing the people. But then this principle of being satisfied by majority will have to be presumed as having been accepted by general agreement; that is, through a contract, and hence [this principle will have to be presumed to be] the supreme reason for constituting a civic constitution.

In the foregoing we have an original contract upon which alone can a civic, and therefore completely legal, constitution among men be established.^{xxv}

LS: That is a very great question: What does he speak about now? Does he speak about the legislator or about the establishment of society? What do you think?^{xxvi} I believe about the establishment of society, and not about the legislator himself. Now society can be established, and must be thought to be established by the majority of a representative body,

^{xxiii} In the footnote.

^{xxiv} [8:295fn], Strauss's translation.

^{xxv} Friedrich, 421, brackets in Friedrich; [8:296]

^{xxvi} There is no response from the class.

representative . . . It is not necessary, but then the question arises: Why the majority? Is there an *a priori* principle here? Why a representative body, which would mean—that of course is based on considerations of convenience. That is absolutely dark.

And this notion of the social compact, the idea of a compact which might have been made by the majority of a representative body, that is an old, old inheritance. This notion must be pursued as an idea of reason, I think, not as a historical fact, and as such is the guide of the legislator proper. Only such laws are just to which the whole people in its right mind could have given its consent. In this paragraph which you began reading, “it is a mere idea of reason which however has its indubitable practical reality”—do you have that?

Reader:

is a *mere idea* of reason which has undoubted practical reality; namely, to oblige every legislator to give us laws in such a manner that the laws *could* have originated from the united will of the entire people and to regard every subject, in so far as he is a citizen as though he had consented to such [an expression of the general] will. This is the testing stone of the rightness of every publically-known law, for if a law were such that it was impossible for an entire people to give consent to it (as for example, a law that a certain class of subjects, by inheritance, should have the privilege of the *status of lords*), then such a law is unjust. On the other hand, if there is a mere *possibility* that a people might consent to a (certain) law, then it is a duty to consider that the law is just, even though at the moment the people might be in such a position or have a point of view that would result in their refusing to give their consent to it if asked.^{xxvii}

LS: What does this mean, this idea of reason? The legislator can be a monarch as well as a body of men, as he has made clear.⁸⁶ How far do the preceding principles guide the legislator in giving just laws? Is a given law compatible with the right of each to pursue happiness as each sees happiness, provided this right is compatible with the same right of all? That he has to ask himself. So he does not need any approval by a representative assembly. This consideration alone suffices. We can state it more generally as follows: every law is right, is just, or at least cannot be regarded as unjust, if it is compatible with the rights of man as previously defined.

But of course there is a great difficulty to which we will come later. If the basic proposition of Kant’s moral philosophy is that the notion of happiness is hopelessly subjective and therefore it cannot be the basis of any rational teaching—if this is so, why should the right to the pursuit of happiness have this crucial importance? Where does the dignity of the right to pursue happiness come in when happiness itself does not have any status? That seems to be a hopeless difficulty, and therefore the only way to start in order to understand Kant’s political philosophy is to forget about happiness and to start from freedom, as he in fact does, from freedom as the necessary indication of the moral law. We cannot do our duty if we do not have freedom—if we do not have freedom. And this freedom must be possessed by every human being equally; therefore, the consequences which he develops here.

^{xxvii} Friedrich, 422, italics, brackets, and parentheses in Friedrich; [8:297]

And now there comes in another consideration. This freedom of man, this freedom which every man necessarily, by moral necessity has, cannot be restricted for the sake of virtue. That I think is the crucial point.⁸⁷ Because it is of the essence of virtue to be voluntary. To compel people to be virtuous is absurd. Therefore a clear line must be drawn between virtue proper and—

[end of tape]

¹ Deleted "One could also say...."

² Deleted "that is...."

³ Deleted "this...this."

⁴ Deleted "is."

⁵ Deleted "they are...."

⁶ Deleted "you saw rightly that this is a crucial question—you left it...."

⁷ Deleted "No, I would like...."

⁸ Deleted "of man...."

⁹ Deleted "what we...."

¹⁰ Deleted "effection... effection."

¹¹ Deleted "then...."

¹² Deleted "may however."

¹³ Deleted "does."

¹⁴ Deleted "they."

¹⁵ Deleted "are."

¹⁶ Deleted "to...."

¹⁷ Deleted "But... Kant's point....Kant's...."

¹⁸ Deleted "We do not need any...."

¹⁹ Deleted "I shall...."

²⁰ Deleted "but."

²¹ Deleted "take [inaudible]... so, now that's... let us see...we will give...."

²² Deleted "In 1793...."

²³ Deleted "when was...."

²⁴ Deleted "So that...."

²⁵ Deleted "Burke."

²⁶ Deleted "Kant's issue...."

²⁷ Deleted "of...."

²⁸ Deleted "There are...."

²⁹ Deleted "what we get...."

³⁰ Deleted "Now Kant...."

³¹ Deleted "We make clear... we make clear to ourselves...."

³² Deleted "I make this...."

³³ Deleted "we...."

³⁴ Moved "of wife and children."

³⁵ Deleted "if so...."

³⁶ Deleted "And now you see how...."

³⁷ Deleted "I think that...."

³⁸ Deleted "I'm minded."

³⁹ Deleted "You would only... but that is a...."

⁴⁰ Deleted "I mean...."

⁴¹ Deleted "You see...he does this through...."

⁴² Deleted "in other words, that has something to do...."

⁴³ Deleted "no others...."

⁴⁴ Deleted "even if it were...."

⁴⁵ Deleted "Kant does not recognize that there can be... there can be...."

⁴⁶ Deleted "of well the case...."

⁴⁷ Deleted "no there cannot be... now let me see...."

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- 48 Deleted "Existentialism is distinguished...."
- 49 Deleted "that the...."
- 50 Deleted "You know, and therefore...."
- 51 Deleted "moral...."
- 52 Deleted "you will in fact...."
- 53 Deleted "No, but this case still does not...."
- 54 Deleted "And...."
- 55 Deleted "I do not know."
- 56 Deleted "so...."
- 57 Deleted "do."
- 58 Deleted "we cannot...."
- 59 Deleted "in every...."
- 60 Deleted "Kant then...."
- 61 Deleted "such freedom...."
- 62 Deleted "For example, the freedom...."
- 63 Deleted "this."
- 64 Deleted "Have you the beginning of this second – and at the end of the third paragraph, the section where he explains what freedom means. Tell them the page."
- 65 Deleted "any other rational beings."
- 66 Deleted "in consistence."
- 67 Deleted "both."
- 68 Deleted "that, yeah, now if for this...."
- 69 Deleted "the happiness of them."
- 70 Moved "or all members of society."
- 71 Deleted "injust."
- 72 Deleted "because, if you have...."
- 73 Deleted "Where...."
- 74 Deleted "well, that is indeed...."
- 75 Deleted "his."
- 76 Deleted "in...."
- 77 Deleted "the argument...."
- 78 Deleted "that is...."
- 79 Deleted "see...."
- 80 Deleted "Let us... Do you have the note on this page, where he gives an example of the domestic servant? Well, at any rate...."
- 81 Moved "not;" deleted "and also there is a difference...."
- 82 Deleted "to make...."
- 83 Deleted "So you know, this...."
- 84 Deleted "and that...."
- 85 Deleted "where do...."
- 86 Deleted "What does the legislator...what...."
- 87 Deleted "because virtue...."

Session 8: April 23, 1958. *Theory and Practice*

Leo Strauss: We begin today with somewhat broader considerations, because we have been too preoccupied with specific passages and we have come across certain great difficulties in Kant, and we must see how they can perhaps be understood. And then of course we have to conclude our discussion of the second and third parts of Kant's essay on "Theory and Practice."¹

For our general orientation, I believe it is wise to start with this famous quarrel of the moderns and the ancients as it appears in moral and political philosophy. And I will be very brief because I think you are familiar with this matter. Now the issue² can be stated as follows. Virtue or self-preservation, by which I mean: Is virtue irreducible, something praiseworthy and estimable for its own sake, or is the value of virtue derivative from its being necessary for self-preservation? This is connected with the following difference. From the classical point of view, [the] irreducibility of virtue, there follows the primacy of duties; whereas if we start from self-preservation, there follows the primacy of rights, natural rights. The modern view, based on the principle of self-preservation, implies that morality is in the service of self-preservation. Self-preservation can of course always be expanded to comfortable self-preservation, as I have said frequently. In other words, a utilitarian understanding or calculated understanding of morality goes with this view. In addition, there is another feature characteristic of these doctrines of the seventeenth and eighteenth century,³ as is indicated so clearly by the title of Spinoza's work. This ethics is meant to be a geometrically demonstrated ethics. And Spinoza has it in his book title but Hobbes and Locke had it very clearly in famous passages of their works. The ethical teaching of these men has this character, [that] it starts from certain axioms, say self-preservation, and the whole ethical teaching is deductively derived and the whole ethical teaching, including the political teaching, has the universality and certainty of a mathematical system. So⁴ one can say even using the language of Hobbes himself that this ethics is meant to be an *a priori* teaching. That is one important link between Kant and this modern thought.

The difference is only this . . . that whereas the *a priori* teaching of, say, Hobbes, Locke, and Rousseau is based on self-preservation as an empirically known fact, Kant refuses to accept any empirically known fact as a principle of morality. Which is an enormous change, but still it is not unimportant to keep in mind that a rational *a priori* ethics was *intended* by these thinkers of the seventeenth and eighteenth centuries.

Now let us turn to Kant. His first point is the attempt to restore genuine morality, non-calculative and non-utilitarian morality. In this respect he returns to Plato and Aristotle versus Hobbes, Locke, Rousseau. But, and here comes in the difference between Kant and Plato and Aristotle, morality consists primarily in the recognition of the rights of man. That is to say that Kant accepts here the doctrine of Rousseau (because Kant is closer to Rousseau than to Hobbes and Locke), but he gives it a new meaning. Now as for the close connection between Kant's moral teaching and Rousseau's political teaching, one example, or rather the central example, is sufficient.

Kant called the formulation of the moral principles the categorical imperative, and the categorical imperative⁵ means that the test for the morality of a maxim is its capacity to become universalized. If I have the maxim to get money by hook or by crook,⁶ I may perhaps do this

maxim; but then if I want to be an honest man, then I have to submit it to a test. The test is a strictly formal one. I do not consider the common good, I do not consider the nature of man; these are material considerations which have to be completely left out. I only see whether this maxim is capable of taking on the form of a universal law to which I am subject. If this is not possible then the maxim is immoral. And if it is possible it is at least not immoral. Whether it is positively moral or not is a somewhat different question.

⁷Morality consists in the universalization of a maxim, that is to say, in imposing upon myself a law which I have given to myself, because I am the one who universalizes the maxim so that it becomes a law and then impose that law on myself. This is bodily taken over from a certain notion of Rousseau's. Rousseau, in his *Social Contract*, raises this question: How do I, as a natural man concerned with my private or particular interests alone, become a citizen, a man concerned with the common good, with the good of the community? And he finds a very simple device. I have desires, all kinds of foolish or not foolish desires—for instance, a desire not to pay any taxes. That is all right, but in the moment I begin to act politically—that means the moment I enter the assembly of the people, in the case of a direct democracy—I cannot say I do not like taxes. I have to give this desire a different form, namely, as we all do⁸ in ordinary talk: there ought to be a law against paying taxes. But here I do it in this more specific way that I propose it as a law. Now then of course it no longer means that I do not like to pay taxes. It means that this assembly or the sovereign people will not impose any taxes under any conditions on anyone, and then I will see what happens. I mean, not only will there be contradictions on the parts of others, but I myself in my great folly will see that what I want is absurd, because how many things are necessary for my own good as a member of a community and for the good of all which can only be done properly through the payment of taxes? So the test is fundamentally the same. Rousseau characteristically does not say universalization but generalization, but the formal structure is the same. By generalizing my wish, by giving my wish the form of a general law, I can see whether this wish is compatible with citizenship or not.

And in this same context, Rousseau uses the expression that by entering civil society, man remains as free as heretofore. Why? Because this law which I obey, namely, a law establishing taxes for example, is one which I have imposed upon myself in my capacity as citizen, as distinguished from a merely foolish private man who has all kinds of selfish desires. So this crucial point, the generalization of the will by giving the will the form of a law—and that this law is fundamentally self-legislation, a law which a man imposes on himself—is bodily accepted by Kant but as it were is in a way de-politicized. It is no longer a question of a decision of a citizen of this community but of man as a member of the universal society of all rational beings. I shall not minimize this difference, but it is also important to realize the very profound agreement.⁹

In Rousseau this whole teaching of the general will in all its implications is derived from the axiom of self-preservation, just as it was in Hobbes and in Locke. So we can call Rousseau's whole teaching, and certainly that of the *Social Contract*, as one especially important form of the self-preservation morality. Now Kant takes over the content of that self-preservation morality but gives it an absoluteness which it did not possess in the pre-Kantian version. Naturally it could not have that absoluteness as long as it was derivative from the desire for self-preservation,

which is an empirical fact and in addition a fact open to all kinds of difficulties as you know: not all men always prefer self-preservation to other considerations, and so on.

In other words, Kant makes ethics a truly *a priori* doctrine, no longer derivative from self-preservation or anything else. Needless to say that if we make a distinction between self-preservation and the pursuit of happiness, which in a way is possible, Kant does the same to the pursuit of happiness. The pursuit of happiness is as much out of this fundamental consideration as is self-preservation.

Now what is the practical meaning of this? On the basis of self-preservation there cannot be true universality. Self-preservation is not universal in this form of Kant's. This is true only—and of course that was what such shrewd men like Locke especially meant by that—it is true for all political and crude purposes where we do not care about mavericks, you know? Most people most of the time do not want to be killed and defend themselves against attack, and that is that. So in other words,¹⁰ if a principle is not universally valid but has only a crude average validity for most cases, then you introduce in fact the principle of expediency.¹¹ I will explain this with a few words, because that is the issue with which every one of you as a mere newspaper reader is familiar, the issue of freedom of speech in this country. There are two ways in which the freedom of speech can be understood: it can be understood as an absolute rule, and it can be understood as a rule of thumb. As a rule of thumb it would mean roughly this: the alternative to freedom of speech as it is ordinarily understood means very severe censorship. Now with censorship there is a certain experience with censors which shows that it is rare to find reasonable censors. They would make all kinds of foolish things and annoying things and therefore it is wiser to say expedientially, prudentially, not to have any censorship. It is a good point. But this implies of course that in given situations the unpleasantness of censorship may be the minor evil compared with very great dangers. But if freedom of speech is an absolute sacred right, considerations of expediency of course can never be adduced for limiting it. And you know from the political discussion, if you have read Walter Berns's book on this subject, that the libertarians prefer the absolute rule in fact.ⁱ They are sometimes frightened by it and therefore have not the slightest right to speak of absolute rules, but that is one of those things. But at any rate, the libertarians are inclined to regard the freedom of speech as an absolute rule and not as a rule of thumb.

Here we come to an understanding of Kant (in this respect very close to the libertarians), [who] tries to establish these fundamental rights as absolute rights against which considerations of expediency can never be used. Kant divorces the rights-of-man doctrine from its utilitarian basis and thus makes the rights of man sacred—only from a utilitarian view there cannot be any sacredness, but Kant does this. Someone asked me a few days ago (was it Mr. Berns?) about Rousseau's use of the word sacred.¹² That is the point: in Rousseau's doctrine it is really very hard—¹³[he] speaks all the time of the sacred character of the social contract and so on and so on, but that is a difficult thing to say for Rousseau. If the function of the social contract is my self-preservation, ultimately it cannot be more sacred than my self-preservation. And that is only sanctified by the fact that it is the strongest power in me. Kant, by divorcing the rights of man doctrine from all considerations of a utilitarian or calculating nature, is enabled to make the

ⁱ Walter Berns, *Freedom, Virtue, and the First Amendment* (Baton Rouge: Louisiana State University Press, 1957).

rights-of man-doctrine sacred; and I think the great impact which Kant had, and which he still has on many people who have no use for his theoretical philosophy, is due to this fact.

Now, how does he proceed? In order to understand Kant's philosophy of right it is necessary I believe to consider the alternatives, and I will do this briefly. Let us take the simple-minded and old view, as stated by the classics: the purpose of civil society is to make man virtuous and happy. Read Xenophon's *Memorabilia*, book 3, chapter 2, for a very brief statement that the function of the general is to make his soldiers happy. Read it. (And similarly there is more there about the state.) Now what is Kant's implicit or partly implicit argument? First, regarding virtue: civil society cannot make its members virtuous. Only the individual can make himself virtuous. Civil society can produce only legality, external compliance with the rules of action, of the laws, but not morality. Civil society cannot bring [it] about that people do the right things in the right spirit. It may coerce people into doing the right things but it cannot bring about the right spirit because that must arise in the individual himself. So in other words, the utmost [that] civil society can do as far as virtue is concerned is to produce external decency. Of course one could say: Why not external decency?¹⁴ Because decent practice will lead in many cases, if done properly and in sufficient kind, that people come to like that practice, that they find pleasure in decency. And then if they are attracted by decency itself, the original motivation, praise and blame, or spanking, become irrelevant and then they are really genuinely virtuous. That is Aristotle's way of putting it. Kant dismisses this possibility completely and, I believe, Mr. Craw, you will find the passage where Kant refers to the problem of external decency in the text—did you notice that? Yes.

Now what about happiness? The purpose of civil society is to make its members happy? The answer is [that] happiness is hopelessly subjective and therefore it cannot be an objective of civil society. Now then, let us rephrase the problem in the way in which it was done by the modern thinkers. The purpose of civil society is to establish the *conditions* of happiness, for however you might conceive of happiness you need life, liberty, and freedom—freedom of movement. Fundamentally, say self-preservation is the condition of happiness. We are not happy by the fact that we are alive, but we cannot be happy if we are dead. That is a simple argument. So self-preservation is the condition of happiness. Self-preservation¹⁵ requires peace, and right is¹⁶ the order which makes possible peace. That is Hobbes's point, but to which the answer is fairly obvious: this peace may be the peace of the cemetery. And that we do not want, you know, [peace] under Nero. Therefore let us say the purpose of civil society is to make possible the pursuit of happiness, which is not possible under Nero.¹⁷ And that means of course immediately the pursuit of such happiness and such pursuit of happiness as is compatible with everyone else's pursuit of happiness. This was something which was of course underlying the Declaration of Independence, but is also meant by Kant.

But not quite. Why did Kant not leave it at this view, that the purpose of civil society is to make possible the pursuit of happiness? Now one could argue as follows. If happiness is hopelessly subjective it is perhaps difficult to claim a right to the pursuit of happiness, although one could argue as follows, and that is certainly what Kant means: Given the radical subjectivity of happiness, no man can have a right to impose his notion of happiness on anyone else or, differently stated, everyone has a right to his notion of happiness and hence to the pursuit of happiness as he understands it.

But there is another consideration. Happiness is not the only motivation of man. Now happiness of course is meant to be all-comprehensive: wealth, honors, health, beauty (natural or artificial), and all these things fall under happiness, yes? But in spite of its comprehensiveness it is not the only motivation of man. There is also the motivation of duty, the moral motivation, which is radically different from the motivation of happiness. For this reason the pursuit of happiness cannot be the only purpose of civil society.

Now we have then two and only two fundamental motivations of man: happiness and morality. They are radically different—not incompatible, but radically different. Yet fortunately they have something very important in common: each of them requires that man be free, i.e., externally free. I mean, we are not speaking now of moral freedom proper but freedom of movement.¹⁸ You cannot pursue happiness as you understand happiness if you are not free,¹⁹ if you are a slave for example, or if you sit in a labor camp, or what not.

But here a question arises. Does morality really require external freedom? Can a slave or the subject of a vicious tyrant not act morally? What do you say to this question? I myself am groping for an answer and do not believe I have the solution to this. But I repeat my question: Can a slave, the subject of a vicious master, or can a non-slave, the subject of a vicious tyrant, not act morally?

Student: I think he would have to be able to act morally or else one would destroy the distinction between the phenomenal world and the noumenal world.

LS: Yes, it is connected to that, but we do not have to rise so high. But one can say, as far as one can speak at all about such matters, [that] there is historical evidence, as everyone has seen, that people in the most incredible forms of oppression have acted morally as enslaved people: the Stoic philosophers, [for example], and there was Seneca, the subject of that vicious tyrant Nero, and quite a few other men. And we have had some examples in our own time of people under very vicious people acting virtuously.

So there seems to be a difficulty to demonstrate the necessity of external freedom on grounds of morality. But still, one can say one thing without any hesitation. Let us take²⁰ this example in a discussion by a German Kantian.ⁱⁱ There were people in Germany who tried to be decent to Jews in the Nazi times, and especially during the more advanced period during the war²¹ wished to have done it, but if they had done it there would have been a very near danger and a moral certainty of instant death under torture. And of course that is perfectly intelligent: they did not do what they felt they ought to do, because no one can be expected to be a hero or martyr of the first order. But we are not now concerned with such a particular question, we are concerned with the principle. What follows from that? A man who is not free (I mean, in the sense of a man who is a slave or the subject of a vicious tyrant) cannot act morally with safety. That is, I think, a perfectly defensible assertion and a necessary assertion. But I raise this question—and every man of any humanity would say that the very important consideration that we should be able to act morally with safety, that our decent impulses should not be destroyed immediately by some Gestapo or however the thing is called—but I raise this question: Is this fact, that if we are not

ⁱⁱ It is possible that Strauss is referring to Julius Ebbinghaus.

free we cannot act morally with safety, a moral consideration proper in Kant's sense? Meaning a moral consideration *perfectly free* from considerations of *happiness*? Yes?

Student: I have a slight difficulty right here. It seems that you can find exceptions to this in much the same way you found exceptions to the slave who can act morally, because certainly aren't there occasions where a slave, a non-free man, can act morally in safety?

LS: Can act in safety? Yes, all right. In other words, you could argue against Kant on Kant's grounds, if I understand you correctly.

Same student: Yes.

LS: But you can never be sure; there is never absolute certainty that he will be tortured to death for his moral actions, but there is absolute certainty that this action is morally demanded, yes? That is the point you make. Sure. But that is fundamentally what I am driving at.

So that seems to me the great difficulty, that freedom as Kant understands it, external freedom—I am not now speaking of freedom of the will in the metaphysical sense—external freedom is a kind of in-between, between a requirement of happiness and a requirement of morality. And it is more evident that it is a requirement of happiness than it is a requirement of morality. I wonder whether a deep ambiguity of Kant's moral teaching is not hidden in this assertion that *the* fundamental right is a right of freedom.

Student: Doesn't Kant admit that even if you couldn't act morally with safety you would yet have to act morally?

LS: That is the point which I tried to make. In other words, the consideration of safety is a consideration of happiness, yes? Now if you make this sharp and ruthless distinction that moral considerations are not necessarily opposed but radically divorced from considerations of happiness, then this follows; and I wonder whether (I repeat what I said) the fundamental ambiguity of Kant's whole moral teaching, and also the political teaching therefore, is not centered in this very point. This permitted him to take over the pursuit-of-happiness morality which was based on a utilitarian basis and give it a problematic sanctity because it seemed also to be a demand of morality. If this is so, the consideration of happiness would have become obvious in the course of the argument of Kant, the more detailed argument, whether he liked it or not.

Student: . . . How is this compared with the statement of moral duties . . .

LS: No. That is developed for example in the *Foundations for the Metaphysics of Morals*, which we will be discussing. It follows not from your desire, from your love of life; it follows from the point—I mean the prohibition against suicide, by the way, follows from the categorical imperative. I can only sketch it in a very crude way. The categorical imperative which commands the universalization of the maxim—you may commit suicide if a universal law permitting everyone to commit suicide if he feels . . . is rational, is not self-contradictory. Now to show that this is self-contradictory, Kant makes the following assumption. Kant contends that²² the categorical

imperative, in order to be applicable, must be pictorialized. That is the best word which occurs to me . . . and the most reasonable way of doing that is to conceive of this universal law as a natural law proper. And then the formula is this: If nature has constructed man in such a way that the same desire that urges, which makes him cling to life, could also be used under certain conditions for destroying life . . . So in other words, your self-preservation derives not from the right to self-preservation but from a duty to self-preservation, whereas suicide is a very great crime, a sin. The right of self-preservation is derivative from Kant's point of view from the duty to self-preservation, just as in Aristotle. In Aristotle's thinking²³ everybody is obliged to stay alive because of his duty to the community. In one way or the other no one can foresee death, even if he is not able to bear arms . . . or he is very old, he cannot possibly know how he will . . . how he will conduct himself . . . We must come back to this question when we come to the *Foundations of the Metaphysics of Morals*. Yes?

Student: I've been thinking about this problem. You view this problem both in a theoretical and a practical sense . . . Whether this is Kantian I'm not quite sure. To look at the question from a historical context, to examine the question between slave and master, you will see a close relationship between the morals of the master and the morals of the slave. From a theoretical point of view, coming back to philosophy . . .

LS: Yes, but that is a very long methodological introduction. What are you aiming at? What are you driving at?

Same Student: . . .

LS: Well, all right, if the master is an honest and nice man he will of course never command the slave to do something indecent, or unjust, or improper. The problem arises only if the master is unjust or perhaps extremely unjust, and then the question is morally clear. If the master commands the slave to do something immoral, say, to murder another man, he will not do it. The danger is that if the master has the right of life and death over the slave, he may kill him with torture. The question is whether the slave, if he is really a perfectly moral man, would still not commit the murder. But of course it would be much more desirable for the slave if there were a guarantee that he could never be commanded to something immoral, so that his moral actions would be saved. And that is highly desirable; I believe our natural feelings would say it. But the question is whether this demand for a world safe for morality is strictly speaking a moral demand, and not a demand based on considerations of happiness. And I think²⁴ [that] according to Kant's line of thinking, one would have to say [that] it is not in itself a moral demand but a demand based on considerations of happiness, and this would also go to show what I am trying to show (what I have been trying to show), that the foundation of Kant's doctrine of the rights of man is not simply morality but something above all which involves freedom, freedom which is required both for morality and the pursuit of happiness, both by morality and [by] something intrinsically morally neutral—but with the edge, to put it mildly, in favor of the morally neutral. And that raises all kinds of questions.

By the way, regarding this question of suicide, I know that it is not regarded by all people as technically proper, but there is a very simple statement of the moral problem of suicide in a book which you [have] never read, I believe, by Agatha Christie, *Towards Zero*, which is very neat,

and if you have much free time you might read it. The statement of this question is made that it is absolutely impossible to say of any man, however hopeless, that he cannot be needed in unexpected ways by other people. It is fundamentally an Aristotelian way of thinking, only Aristotle thinks more of the *polis* than other individuals, although it is the same.

Student: Is it reasonable to say that the slave who is forced to murder would thereby . . . to get out of it, be forced to commit suicide?

LS: No, this is not suicide, because he is a murderer and the whole moral will is entirely on the part of the master. Certain philosophers, the Stoics or some Stoics, would say that suicide is permissible under certain conditions, perhaps under such conditions. Seneca himself for instance . . . was under the command of Nero . . .

Same student: But what if the masters say: You steal this or I kill you? I mean it is not life for life, and if the man were ordered to do a very low level crime.

LS: Yes, but strictly speaking, here is a question between life, i.e., the preservation of life, i.e., a consideration which is morally neutral, and the other is something unqualifiedly morally bad. So²⁵ strictly speaking, he could never do that in order to save his life from Kant's point of view. But that comes back to the question we discussed last time, whether Kant's analysis of the complexity of moral problems is adequate, and I will refer to that later.

Now let me first continue my argument. Whatever the reasons may be, not the pursuit of happiness but freedom, external freedom, is the starting point of Kant's reasoning. Such freedom is not possible if anyone else can arbitrarily restrict it. Hence the purpose of civil society is to make possible freedom by restricting the freedom of each soul so that it is compatible with the freedom of everyone else. And this requires restriction by public, enforceable laws, not by *ad hoc* decrees. Only restriction of freedom for the sake of freedom is legitimate, not restriction of freedom for the sake of morality, say, outward decency. That is a very great problem.

Now this principle leads (I come now to the more political conclusions) to the prohibition of hereditary privileges of any kind; for example, entailed estates. (Is this the proper expression, entailed estates?) It is impossible because it restricts the freedom of each, of many or most, in such a way that some people, the majority of the people, are at a disadvantage. The case of hereditary property is according to Kant entirely different. Whether these reasons are very good is another matter; I remind you only of these facts.²⁶

One can say [that] freedom as Kant understands it means equality before the law and equality of opportunity. Hereditary privileges restrict equality of opportunity. Hereditary property, even very unequal hereditary property, does not according to Kant restrict the equality of opportunity.²⁷ The principle is this: the restriction of freedom must be made only by law, by universal and equal law, not by personal dependence. That is again in Rousseau: unfreedom means to be personally dependent on someone else, like the slave or the serf. The free worker, domestic or in a factory, is not personally dependent because there is a contractual relationship which he can terminate at any time, whereas the slave or the serf does not have this freedom.

But Kant also takes for granted that the right to vote must be denied to those who are employed (of course on a contractual basis) by private persons. We have read this passage another time. And we see here in this little example how considerations of a prudential nature enter here into this allegedly *a priori* political teaching, because the case for a qualified suffrage is of course a prudential consideration deriving from political experience, sound or unsound, but certainly not an *a priori* principle.

Now the legislator must be guided by the principles of freedom and equality—freedom, that is to say the of the pursuit of happiness—and therefore a policy of paternal despotism is necessarily unjust. It is not the task of the legislator to contribute to the happiness of the subjects. That is paternal despotism. A free society is one in which the government has no other function but to protect the freedom of each to pursue happiness as he understands it. And equality means equality before the law as well as equality of opportunity.

Now at this point I think we will turn again to the text and in the second part of the relation of theory and practice.²⁸ Let me say a word about it. Now Kant links this up in some way. This legislator must be guided by certain considerations, and this consideration is called by Kant the “idea of the original contract.” Let us see what Kant says about it.

Reader:

Instead, this contract is a *mere idea* of reason which has undoubted practical reality; namely, to oblige every legislator to give us laws in such a manner that the laws *could* have originated from the united will of the entire people and to regard every subject in so far as he is a citizen as though he had consented to such [an expression of the general] will. This is a testing—

LS: You see, what does he mean, “insofar as he is a citizen?” Insofar as he has the right to vote. He is not a domestic servant. Go on.

Reader:

This is a testing stone of the rightness of every publically-known law, for if the law were such that it was impossible for an entire people to give consent to it (as for example a law that a certain class of subjects, by inheritance, should have the privilege of the *status of lords*), then such a law is unjust. On the other hand, if there is a mere *possibility* that a people might consent to a (certain) law, then it is a duty to consider that the law is just, even though at the moment the people might be in such a position or have a point of view that would result in their refusing to give their consent to it if asked.ⁱⁱⁱ

LS: Let us stop here for one moment. Now you see we have to raise this question here: Why is it necessary to state this principle guiding just legislation in the form of a possible consent of the whole people in their right mind? Why is this necessary? Why does Kant not simply say that the legislator ought to be guided by *the* eternal principles of justice, namely, freedom and equality as

ⁱⁱⁱ Friedrich, 422, brackets, parentheses, and italics in Friedrich; [8:297]

previously defined? That is strange. We can understand it by looking back to Kant's source, Rousseau.

Rousseau demanded the *actual* consent of the people and not someone acting as a legislator on behalf of the people—the actual consent of the citizen body assembled. And he regarded this and only this as an effective guarantee against tyranny because if this legislator, this sovereign, is the citizen body assembled, then what can happen to the people as a whole? Every possible public officer is dependent on them, and they could throw him out at a moment's notice.²⁹ Rousseau thought politically of an effective guarantee and therefore he demanded the actual consent. Kant refers to that in a somewhat earlier passage.³⁰

Reader:

All right depends upon laws. A publicly-known law determining what everyone shall be legally permitted or forbidden [to do] is an act of the public will from which all right proceeds and which cannot itself act contrary to right.

LS: “And which therefore”—no, no: “and which.” No, that's not properly translated. “That is an act of the public will, from which (namely, the public will) all right proceeds and which (namely, the public will) can therefore not possibly do injustice to anyone.”^{iv} The public will cannot do injustice to anyone because it is the source of all right. Go on.

Reader:

For this purpose no other will is possible but the will of the entire people because [through this will] all men decide about all men and hence everyone decides about himself. For no one can be considered unjust to himself.^v

LS: “No one can do injustice to himself.” *Volenti non fit iniuria*. No injustice is done to a man who wills that the thing be done.³¹ Here this is a restatement of what Rousseau said. The only guarantee against injustice is that all law originates in an assembly of everyone [who is] to be subject to the law, because no one will ever vote for a law which will be harmful to him. Questions arise on this ground because there are majorities and minorities, but let us disregard this subtlety for the time being. But still one can say the people as a whole will not be tyrannized by a popular assembly proper. Mind you, not a representative [assembly], but a town meeting where everyone is present who will be subject to the law and the decisions are made by majority vote. It is not sensible to say that the town meeting is tyrannizing the town. [This] makes sense; this is a perfectly reasonable statement, at least a tolerably reasonable statement if understood politically. But why should then this reference to a possible will of the whole people come in in the case [in which] the legislator is a monarch? Why is it not sufficient, as I said before, simply to refer to the eternal principles of justice? Kant drops this effective guarantee, namely, that the people assembled are the legislators, and yet keeps a remembrance of that.

^{iv} “und der also selbst niemand muß Unrecht thun können.”

^v Friedrich, 420, brackets in Friedrich; [8:294-295]

This throws light on what happens through the divorce of the rights of man from the empirical and prudential considerations which were underlying Rousseau's argument. And it is very interesting that Kant does not simply return to the premodern notion that the legislator must be guided by what we can call the eternal principle of justice, which he has to consider as the presumptive will of a whole people in its right mind, which I think boils down in effect to the same thing, but it is characteristic that this formula of political origin survives somehow in this doctrine.

Now let us proceed. Where you left off there comes a long passage, I think which we read last time, and I will only state my conclusion from it. We have noted this last time: that for Kant the fact is awkward that the legislator must not be concerned with public happiness. You remember this point that he admits here, that the sovereign power may give laws which are primarily directed towards happiness, public happiness, prosperity of the citizens, a rising population, and so on. Yet Kant cannot tolerate that because happiness cannot be the primary consideration; therefore he must construe these actions for public prosperity as actions required for the mere existence of the legal order, especially against a foreign enemy. Well, if you want to you can do that, but it is not really what we primarily mean by such measures as measures for public health, for example. From this certainly it follows that public happiness cannot be completely vague, as Kant says happiness in general is.

And we note here also a passage where Kant says in this context that we have to obey a tyrant for the sake of the principle of freedom. Can you imagine how Kant would construe that? Freedom requires the sanctity of the laws, because the laws are the only protection of freedom. Now if [there is] rebellion against the *de facto* government, however tyrannical, you admit that you act on the maxim that you may destroy the established legal order, which is the condition of every possible freedom, and therefore you contradict yourself. We will find more examples of this same thing later, when Kant speaks of the absolutely criminal character of active resistance to tyranny.³²

Reader:

From this it follows that all resistance against the supreme legislative power, all instigation to rebellion, is the worst and most punishable crime in the commonwealth because this destroys the foundation of the commonwealth. The prohibition (of rebellion) is absolute. Even when the [supreme legislative] power, or its agent, the head of the state, has violated the original contract and he thereby, in the opinion of the subjects, loses the right to legislate because the supreme power has authorized the government to be run thoroughly tyrannically, even in this case no assistance is allowed the subject as a countermeasure. The reason is that under an already existing civic constitution the people have no lawful judgment as to how the constitution should be administered. For, if one assumes that the people have such a power of judgment and have exercised it contrary to that of the real head of the state, who is to decide which one is right? Neither can do so, being judge in his own cause. Therefore there would have to be a head above the head of the state to

decide between the people and the head of the state, which is self-contradictory.^{vi}

LS: ³³When he discusses the question of revolution (or including tyrannicide and so); any revolution³⁴ is based on a maxim which would make insecure every legal order and introduce a condition of perfect lawlessness, a state of nature, where all right ceases to be effective. And then he comes to this point which is very revealing. What is underlying the fact that people rebel against a tyrant? A disregard of the principle of right, based on the typical delusion to introduce the principle of happiness when it is a question of *right*. That the people are made utterly miserable by that fellow is an irrelevant consideration when the question of right is concerned, which is a necessary consequence of this whole principle. Here in this context, I think, that is also admitted. Kant has a very interesting paragraph about moral conflict which will be of interest to some of you with a view to the question of Sartre which we had discussed last time. Kant said—

[change of tape]

—an insoluble conflict of duties, because the most we can have is a conflict often between an unconditioned or absolute duty and a conditioned [one], however high it is, and then of course the conditioned duty has to give way. For example, if one tries to prevent a calamity of a state which is threatened by [the] treason of someone, and the person meditating treason is the father. Now what is the situation? Must the son be silent and allow his father to commit treason? Then he incurs moral guilt. Or must he denounce his father to the authorities, and his father will be drawn and quartered? That is also not so good. Kant says very simply that to prevent high treason is an unconditioned duty, [whereas] to prevent the misfortune of the father is only a conditioned duty, namely, only insofar as the father has not made himself guilty of a crime against the state. And then it is perfectly simple: you have to denounce that father. The denunciation which the son makes to the authorities will be made by him perhaps, Kant says, with the greatest disgust with life, but compelled by necessity, namely, moral necessity. Physical necessity has nothing to do with it. That is it. Are you satisfied? I thought that this should at least be mentioned here.

Student: How does Kant distinguish between absolute and conditioned duties?

LS: Well, here he gives you an example. You have the duty to honor your father, yes? But that is not the highest of all duties. If the father of an individual is a very infamous person, that is bound to affect the exercise of that duty. That is clear. For example, if the father commands his son, his dutiful son to do all kinds of impossible things, the dutiful son is under no obligation to comply. So the duty to honor one's father is not the highest of all duties. The duty to protect, as far as in one lies . . . to protect the whole order of right is a much higher duty, and therefore the lower duty has to give way.

Same student: That is, on the basis of the relationship of the duties to the protection of the world order, right has a higher priority?

^{vi} Friedrich, 423-424, parentheses and brackets in Friedrich; [8:299-300]

LS: Yes, because I think Kant would argue this: What is here at stake is something which in the last resort makes possible any honoring of parents. And I could imagine how he would argue, that who is or who is not a parent depends on the institution of marriage. Marriage is a civil institution, and something which destroys the whole civil order has a much higher dignity than anything merely rendered possible by the civil order. That is a defensible—yes?

Student: Does he have an equipment of prudence to distinguish between the very close conflicts of duties, which is absolutely conditioned?

LS: Well, here I gave it to you.³⁵ The principle is this: What is morally the cause is higher than what is morally the effect. Yes? That is his point. Yes? You have some difficulty.

Same student: I just wondered what you thought Aristotle's answer might be to this kind of situation.

LS: I believe the same . . . May I add only one point. Aristotle, I believe, would only omit the "perhaps"^{vii} . . . He would be sure that this would be done by anyone worth mentioning.³⁶ That I would believe. Mr. . . .?

Same student: Isn't the difference though that Aristotle would say that it depends on the kind of society? If you are living under a tyrant, a terrible tyrant, and your father is planning something against him . . .

LS: You are quite right. I simply forgot that. I thought of an ordinary decent society, but surely that would be a material difference. Sure. But Kant does not speak here of treason against a tyrant; he speaks of treason generally, and so I assumed it would be a decent society.

[Let us look at the 26th note.]³⁷

Reader:

No right in a state can be kept under cover by a secret mental reservation, least of all the right [of revolution] which the people claim as belonging to the constitution, because all laws derived from it must be conceived to have sprung from the public will. Therefore the constitution would, if it permitted revolution, have to declare this right publically as well as the procedure by which to make use of it.^{viii}

LS: That is a very interesting example—I mean, that no sane legislator or maker of a constitution would insert a paragraph under what conditions a revolution [LS laughs] against the constitution is acceptable, I would take for granted. But that does not cover the whole point, because those of you who have studied Locke will remember that famous dormant right of the people to disestablish the legislator now in existence. Now Locke implies that this of course should never be invoked by any sensible person except in the case of the extreme misgovernment, against

^{vii} It is not clear what "perhaps" Strauss is referring to, but his meaning is clear: Aristotle would clearly find what is morally the cause to be higher than what is morally the effect.

^{viii} Friedrich, 426n, brackets in Friedrich; [8:333]

which there is no other relief except an armed rising. The notion which is developed, as you will remember, in the Declaration of Independence with Lockean words: no “light and transient causes.” This right, in other words, is normally a dormant right. From this it follows that it is extremely unreasonable to pronounce it, to shout it from the rooftops.

I read [to] you a passage which I found somewhere by Jurieu, a French protestant who lived in Holland.^{ix} Jurieu held³⁸ in Locke’s time that it is better for public peace that the people do not know the true extent of their powers—meaning the right of revolution.

The rights of the people are remedies which must not be wasted while applied in the case of minor wrongs. They are mysteries which must not be profaned by exposing them too much before the eyes of the common herd.

When it comes to the destruction of the state or religion then these remedies can be produced. Beyond that I do not think it evil that they should be covered with silence.^x

I think fundamentally that was the opinion of Locke as well. From Kant’s point of view, such a prudential consideration is absolutely impossible. Now I do not say that this prudential consideration is necessarily true, but Kant precludes the very possibility of such a thing.

Now there is here (we cannot read it in this connection)—Kant speaks about the British constitution, about the revolution of 1688, which of course must be a thorn in his eyes because it was the act of a glorious rebellion and publicly acknowledged by the English people. And he has to make some minor misstatements, but I think they are just due to ignorance. For example, Kant says [that] the revolutionaries of 1688 inserted the paragraph that James abdicated the crown, but they did not have the courage to admit the principle of revolution. As far as I know, that clause was introduced in order to appease the extreme Tories and not the Whigs. The Whigs did not have any hesitation to cashier a king. But the Tories were greatly guided by the divine right of kings notion and were greatly embarrassed that they should bring in William and Mary, and therefore they used this legal fiction, that James II had abdicated. But that is a minor point of a purely historical interest.

What is more important is his criticism of Hobbes. He agrees absolutely with Hobbes’s demand: resistance, certainly active resistance, is a crime under all conditions. But Hobbes goes a bit beyond that. Will you read that remark about Hobbes?

Reader:

^{ix} Pierre Jurieu (b.1637), French Protestant leader whose writings allegedly influenced the invasion of England by William of Orange in 1688. His chief works include *Lettres pastorales adressées aux fidèles de France* (1687) and *La Politique du clergé de France* (1681), an attempt to protect Huguenot liberties after the revocation of the Edict of Nantes.

^x Strauss quotes these lines in his discussion of Burke in *Natural Right and History*, 300, n. 75. The source he cites is G. H. Dodge, *The Political Theory of the Huguenots of the Dispersion* (New York, 1947), 105.

Hobbes is of the opposite opinion. According to him^{xi} the head of the state is not obliged to anything by contract and he can act contrary to law and right against the citizen in whatever way he might decide regarding him. This proposition would be correct if that which is contrary to law and right were understood to mean a kind of injury providing the injured with a right against him who has acted contrary to law and right. But stated generally as Hobbes does, the proposition is terrifying.^{xii}

LS: Let us leave it at that. Now again the translation is not very good, because he says “this proposition would be quite correct if what one understands by injustice or injury such a Lesion” (if lesion is the proper English word) “such a lesion which concedes to the injured party a compulsory right, a right of compelling, against the injuring party.” That is not in the translation, but it is absolutely crucial. In other words, Hobbes tried to do the same: The subjects, or the people as a whole, have no right of compulsion in any way against the sovereign, but they have the liberal right to say You did wrong, which according to Hobbes they have not. But here is a very great difficulty to which my attention was drawn by a commentator. According to Kant all right is connected with compulsion. What does it mean then that the people have a certain right which is not accompanied by compulsion . . . in principle? I think that is a very strong point. And to that extent, Hobbes was more consistent, you see, because he simply said that if there is no right of compelling the king, then there is no right whatsoever. And since Kant accepts the principle, the right is necessarily a right to compel. That was I think a crucial point. The conclusion which Kant draws in the sequel we have seen. Mr. Holton^{xiii} has told us Kant’s solution out of this dilemma: freedom of the pen, freedom of the press, so that the government or sovereign will hear what he or his underlings did wrong and will act. That of course is—.

In the sequel, Kant makes one very important point: a perpetual religious establishment is necessarily unjust. The reason is this: because it means to free people of a certain creed which they might reject when they become more enlightened, and that is against the nature of man.³⁹

What Kant means in his fight against the principle of happiness, as distinguished from right—does he have the appendixes to the section here? Yes, this paragraph on page 428.

Reader:

Nowhere do people engaged in practical pursuits speak with more pretentiousness derogatively of theory and neglecting all pure rational principles, than on the question of what is required for a good constitution. This is because a legal constitution which has existed a long time accustoms people to its rule by and by and makes them inclined to evaluate their happiness as well as their rights in the light of the conditions under which everything has been going quietly forward. Men fail to do the opposite; namely, to evaluate the existing constitution according to concepts^{xiv} provided by reason in regard to both happiness and right. As a

^{xi} In original: *De Cive*, chapters 7, 14)

^{xii} Friedrich, 426-427; [8:303-304]

^{xiii} The student who read his paper earlier in the session.

^{xiv} In Friedrich: “[standards]”

result, men prefer this passive state to the dangerous task of seeking a better one. They are following the maxim which Hippocrates urges doctors to keep in mind: *judgment is uncertain and experiment dangerous*.^{xv} In spite of their differences, all constitutions which have existed a long time, whatever their faults, produce one and the same result; namely, that people become satisfied with what they have. It follows from this that in considering people's welfare, theory is apparently not valued but all depends upon practices derived from experience.^{xvi}

LS: "Not valued" is a bit misleading. "If you consider the welfare of the people there is no strictly—there is no theory strictly speaking but everything depends on a practice which follows experience."^{xvii} I think that is an enormously revealing statement. Does it impress any one of you?^{xviii} The principle of happiness leads to conservatism. That is *the* objection.⁴⁰ Well, there are extreme cases⁴¹ where people rise in rebellion, but generally speaking, if the point of view is happiness and happiness is radically subjective, as we know, and people can feel happy under all kinds of conditions, under paternal despotism and even under a very oppressive despotism—provided it affects a certain class of the population and not them, they would not mind it. The consideration of the principle of public happiness leads to conservatism. Hence only morality or the principle of right, not happiness, must be *the* guiding consideration . . . In other words, the truly progressive force—not revolution, because revolution is *streng verboten*, is strictly forbidden, but the truly progressive force is not happiness but the principle of right.

I think that is extremely revealing of Kant. Kant really thought [that] only by this kind of doctrine can one lay a foundation for genuine progress for political institutions. The principle of happiness is perfectly compatible with muddling through and going on with what we have. I believe it is not sufficiently recognized that *the* enemy of Burke, interestingly, is not Robespierre and Danton, but Kant. That is really the opposite, I mean if we are concerned with a theoretical understanding. For practical purposes, of course Kant was an absolutely powerless professor in Königsberg who could not do anything; but since ideas have consequences, as someone said^{xix}, that is not a sufficient consideration. That is really *the* opposite pole.

Student: What about Rousseau?

LS: When you read Rousseau's political writings proper, *Poland*, *Corsica*, and what not, you will be amazed how sensible [he is], as [with] the *Letters Written from the Mountains*, which concern the [political] affairs in Geneva.^{xx42} Very moderate. That Rousseau's principles as he stated them in the *Social Contract* are extremely revolutionary I would be the last to deny. A man who says in effect (and I think even literally) that in practically all countries of the world,

^{xv} In Friedrich: "(*Judicium anceps, experimentum periculosum*.)"

^{xvi} Friedrich, 423, italics in Friedrich; [8:305-306]

^{xvii} "So gilt, wenn auf das Volkswohlergehen gesehen wird eigentlich gar keine Theorie, sondern Alles beruht auf einer der Erfahrung folgsamen Praxis."

^{xviii} There is no response from the class.

^{xix} Richard M. Weaver, *Ideas Have Consequences* (Chicago: University of Chicago Press, 1948).

^{xx} Strauss is referring to *Letters Written from the Mountain* (1764), *Constitutional Project for Corsica* (1772), and *Considerations on the Government of Poland* (1772).

with the exception of Geneva, there are no laws because the laws have been given not by the sovereign people but by some monarch or prince, it of course justifies revolution all over the world. But that is not his practical proposal in any way.⁴³ You only have to read the chapter of the *Social Contract* on the Roman elections (the fourth book, I believe, chapter seven or so),^{xxi} to see how very realistic he was. I mean, he recommends there a kind of gerrymandering which is so ingenious that the cleverest political boss must be humiliated in reading it. No, no, Rousseau had much more political understanding, much more, and this was connected with the fact that he started from the principle of self-preservation, happiness or however you call it, and not from the Kantian principle. There is an enormous difference. But there is a kinship, I would not deny that. But I think that Kant draws this out with much better clarity. And a purely antiquarian question, but a question of some curiosity begins to bother me: whether Kant knew Burke's writings.^{xxii}

Student: . . . Doesn't he talk about the Parisian philosophers in his *Reflections*?

LS: No, Burke did not know Kant, surely not. Incidentally, in this writing here he refers explicitly to Danton, but criticizes him. Kant was absolutely—the only day in which Kant was said to have interrupted his daily promenade, which was so regular that people used it for regulating their watches, was when the news came to Königsberg of the capture of the Bastille. No, he was passionately political, there is no question; but it was a kind of politics which Napoleon at any rate would have called *Ideologie*, ideology.

Now I think one should say a few words about the third essay, on the relation of theory and practice in international law, because this is more immediately connected with the question of philosophy of history, and I would like to say a few words.

Now Kant begins as follows. One cannot love mankind if there is no prospect of its continuous approximation to the good. Kant means here by love not love in the sense of benevolence, which you can have of course also in absolutely hopeless cases, but love in the sense of deriving pleasure from looking at it. One cannot enjoy the aspect of mankind if we are sure things will go on forever and ever as they have been. Now that of course can be questioned, because how much we are willing to look at with pleasure depends very much on our expectation. Really and radically hateful thinking and disgusting people are not too frequent. And even in evil men there are sometimes things to admire, perhaps the energy of passion. So I do not see that we must accept this argument [that] either you believe in progress or you will become a misanthrope. There have been quite a few people who have been very gay and light to the human race although they knew that good people are rare and will always be rare.

Kant here takes issue with Mendelssohn, who was at that time well known as a popularizer of Wolffian philosophy.^{xxiii} Mendelssohn had taken the old-fashioned view [that] there is no progress of morality and happiness in the human race, and since this is a fact we must assume

^{xxi} It is likely that Strauss means book 4, chapter 4 of *On the Social Contract*.

^{xxii} Kant in fact mentions Burke a few times, including in the *Critique of Judgment* (5:277). Some commentators say that the title of Kant's *Observations on the Feeling of the Beautiful and Sublime* was inspired by Burke's *A Philosophical Inquiry into the Origin of our Ideas of the Sublime and the Beautiful*.

^{xxiii} Moses Mendelssohn (b. 1729), was a prominent Jewish philosopher of the enlightenment and an acquaintance of Kant's.

that it was not the intention of providence that the human race as a race should progress, but rather individuals. Kant, in opposing Mendelssohn, assumes progress of mankind in regard to the moral purpose of its existence. He does not prove this assumption, and we know the reasons already, but I would like to state them.

Kant argues as follows. I have a moral duty to work for the moral improvement of posterity, and hence I am morally obliged to assume the possibility of such improvement unless the opposite, the impossibility of such improvement, is demonstrated. The impossibility of such improvement cannot be demonstrated by history, just as little as its possibility [can]. For that which has not succeeded hitherto should also never succeed is an impossible inference, because that does not even apply to technological matters. He speaks here of aviation: that aviation has not succeeded up to 1793 or so does of course not prove that it may not succeed later, and in this respect Kant has been so vindicated, as much vindicated as one could possibly wish. So in other words, history does not mean anything here.⁴⁴ The decisive point is this: it is not self-contradictory that such a progress may take place, and in such a case the moral duty to believe decides. It is not self-contradictory that the human race progresses morally, but I am morally obliged to believe in such a progress; otherwise I cannot act with the necessary conviction. I cannot act morally with the necessary conviction, and therefore I must believe in it.

Besides, Kant says, we have some historical evidence, and that is moral progress in our time. We have been eyewitnesses. Now what does Kant mean by that? That appears from that other writing of Kant's called the *Struggle of the Faculties*, *Streiten der Fakultäten*, the *Conflict of the Faculties*. It is a conflict between the higher faculties—theology, law, and medicine—with the lower faculty, philosophy, and where of course the lower faculty proves that really it is the one which ought to be the servant. And here is one of the rare cases where Kant makes a joke, when he speaks about theology and says philosophy is said to be the servant of theology. All right, Kant says, but the question is whether it is the servant who carries the train (the maid) of theology or rather the servant who goes ahead with a candle in the hand. [Laughter] And Kant of course assumes the latter. Now in this writing, he speaks also of the problem of progress when he discusses the lawyers who at that time were not legal realists or anything of this kind, but of course perhaps the most conservative part of the population, interpreting the positive law in all its feudal . . . Now Kant says there is one undeniable proof of a moral inclination, and that is the enthusiasm with moral improvements shown by many Germans on the occasion of the French Revolution. That was wholly disinterested because that was a change in France of no concern to the Germans, and yet what could they think except a deep, benevolent sense of right for the Revolution? I believe this argument will not strike us today, after we have gone through some massive debunking among other things, as a very good argument because there was no one in Germany, certainly no commoner, who had not come to blows with the nobility because of the many petty indignities which were inflicted on⁴⁵ [them], especially on the educated part. One only has to read Goethe's novel, *The Sufferings of Werther*,^{xxiv} and other books of this kind, to see how very urgent and practical this doctrine was, of a nobility still having privileges which had become obsolete and only annoying. But this only in passing.

So in other words, we are morally obliged to believe in progress, and with some empirical grounds for that. How will this progress come about? That is identical with the question: Why

^{xxiv} J. W. von Goethe, *Die Leiden des jungen Werthers* (1774) (The Sorrows of Young Werther).

can the disappearance of the tension between the duty to obey the laws and the unjust content of the laws not be brought about by conscious action of men? That was a longstanding . . . and I would like to repeat it. That is really *the* crucial problem which leads to Kant's philosophy of history. We are morally obliged to obey the laws, but the laws may be immoral, and then there is a very difficult situation. This situation can only be solved if the tension between the duty to obey the laws and the content [of the laws] is disposed of. Kant assumes that it is impossible that this tension can be abolished by conscious human action. Conscious human action would mean revolution, and revolution is forbidden. In other words, Kant also answers here the question of why can the intellectual progress not be the cause of institutional and moral progress. Now this passage we should read.⁴⁶ I will try to translate it, if I can.

We can expect a completion of this purpose [meaning a just social order—LS] only from providence. For men, with their projects, only start from parts, and mainly stop at any parts, and while their ideas extend to the whole, their influence [man's influence—LS] cannot extend to the whole, especially since their projects contradict each other and they could therefore hardly unite themselves out of free will for the implementation of such a comprehensive project, the establishment of the just order and universal peace.^{xxv}

Now what does this mean? The ideas reach much further than the influence, and therefore the ideas cannot bring about social progress. Social progress can only be brought about by something which does not depend on conscious actions of men, and therefore the whole story, which we know by now—the antagonisms of men, the passions of men, and the troubles into which men come: war, and unbearably expensive war, and ever-more damaging wars—will lead people gradually to the desire for peace. And also the governments see that they cannot be strong if they do not give a considerable degree of freedom to their subjects, because free countries prove to be stronger than a military form of unfreedom, and so on.

Then when he speaks in the immediate sequel of this trend towards a just society and perpetual peace, he mentions all kinds of things which he has mentioned already in the *Idea*, which we have read. He also refers to the public debt, this famous invention which he admits is an ingenious remedy in order to make possible wars, and wars, and wars; but it is also a remedy which eventually destroys itself. I remember the passage in Macaulay where he pokes fun at those enemies of the public debt who always prophesy misery, and then the public debt has risen and risen and the grandeur and power of the British Empire has risen in proportion.^{xxvi} But I know Kant took here the old-fashioned view of things.

^{xxv} [8:312]. Strauss's translation.

^{xxvi} Strauss is probably referring to a statement of Baron Thomas Macaulay in the *Edinburgh Review* of 1830: "If any person had told the Parliament which met in terror and perplexity after the crash of 1720 that in 1830 the wealth of England would surpass all their wildest dreams, that the annual revenue would equal the principal of that debt which they considered an intolerable burden, that for one man of £10,000 then living there would be five men of £50,000, that London would be twice as large and twice as populous, and that nevertheless the rate of mortality would have diminished to one half of what it then was, that the post-office would bring more into the exchequer than the excise and customs had brought in together under Charles II, that stage coaches would run from London to York in 24 hours, that men would

In this connection he makes one point which is also very characteristic of Kant: that popular governments will be peaceful. Are you familiar with this argument? It did not require the genius of Kant to invent that; you find it clearly stated for example in Thomas Paine's *Rights of Man*. Do you remember a discussion of this proposition of the opposite point of view, a very powerful one?

Student: The Declaration of Independence?

LS: Sure. Right near the beginning . . . Hamilton discussed a thing like that. Also in this connection he brings up one famous Marxian problem. He says that although it is not in the nature of men according to the ordinary order that men abandon freely, ⁴⁷voluntarily, something of their power (you know Marx's famous thesis that no class gives up voluntarily), Kant says, however, but still it is not impossible, and therefore it is possible to hope for a peaceful development in the direction of a republic and ultimately a global federation of republics. [And this is] because only (the reasoning is very simple) in a monarchy, the man who decides on war and peace does not have to expose his life: other people have to do it. And therefore if the people who have to do the fighting will decide about war and peace, there won't be war. This is an extremely charming but wholly untrue argument, especially since it was made in Prussia shortly after Frederick the Great, who was not so averse to being . . .

Now if we try to sum up. We do not learn anything of great importance from this third section but it only confirms some points which we have read in the *Idea of a Universal History*. Now what conclusions are we entitled tentatively to draw from our previous discussion? Kant effects a synthesis, we can say tries to effect a synthesis, between classical political thought and this modern political thought [of]⁴⁸ Machiavelli, Hobbes, Locke. That he is concerned with restoring some principles of the classics is clearly shown by this very emphatic reference to Plato, and especially to Plato's *Republic* in *The Critique of Pure Reason*, which we read when we read selected passages from *The Critique of Pure Reason*. But the content of Kant's political philosophy is of course entirely non-Platonic, non-Aristotelian, and is almost bodily taken over with some minor adaptations from Rousseau. But Kant gives this teaching of Rousseau a moral dignity and a sacredness which it could not possibly possess in Rousseau because of the utilitarian deduction of the whole teaching.

In effect—and that is a French thing—such syntheses, which they always required if they are not mere compromises, they require an entirely new plane of thought. I would put it this way. If you have a certain premise which two opponents fight out, then there will always be eclectic solutions, compromises . . . but they as a rule are weaker, and made by weaker men, than a clear position. That could never be called a synthesis. A synthesis means to resolve this conflict by going over to another *plane* of thought, and that means that something which was common to these opponents is abandoned. Now what Kant abandons is clear. Kant was the first (the first philosopher, anyway) to divorce morality clearly from happiness, purpose, and prudence. Purpose comes in in Kant of course in some way (and we shall see this later), but still the principle is settled. That is to say, the premise all these earlier thinkers (however opposed they

be in the habit of sailing without wind, and would be beginning to ride without horses, our ancestors would have given as much credit to the prediction as they gave to Gulliver's Travels."

might be to each other) took and argued over on the basis of happiness, purpose, and prudence. Now, but still the difficulty is this. The doctrine which Kant takes over from his predecessors, and especially from Rousseau—I will use a convenient term [LS writes on blackboard]; I do not know whether all of you have heard this term *eudaemonism*, meaning a moral teaching guided by considerations of happiness. And Kant as a matter of principle rejects every *eudaemonistic* ethics. And that means really every ethics, philosophic ethics, preceding him. But the doctrine which he embodies, which he sanctifies, this Rousseauan element was in itself a *eudaemonistic* doctrine. The consequence I believe is this, and I have tried to show this by a closer argument: that the core of Kant's doctrine itself, in spite of its non-*eudaemonistic* character, is in its principle as it appears in his political philosophy: freedom, neither clearly *eudaemonistic* nor clearly moralistic in a sense.⁴⁹ Until further notice I believe that is correct.

Mr. Craw, I hope you are not offended. Next time we will read your paper. From now on we must proceed at a somewhat busier pace. I believe it is really necessary to understand these things as well as we can, that is somehow much harder . . .

[end of session]

¹ Deleted "And I regard it as entirely possible that we will not find time for the excellent paper which Mr. Craw—he isn't here? So, this remark was superfluous in the absence of Mr. Craw."

² Deleted "is this...."

³ Deleted "and this is...."

⁴ Deleted "this is what... someone can...."

⁵ Deleted "it."

⁶ Deleted "Now then... there is...and."

⁷ Deleted "Now this notion of Kant that... the...."

⁸ Deleted "also."

⁹ Deleted "So as I say then... Kant takes the content...."

¹⁰ Deleted "then and from if now."

¹¹ Deleted "because...."

¹² Deleted "Someone did. I forget who. Anyhow."

¹³ Deleted "Or no, in Rousseau. Rousseau."

¹⁴ Deleted "That is of some...."

¹⁵ Deleted "needs...."

¹⁶ Deleted "the order of peace...."

¹⁷ Deleted "the pursuit...."

¹⁸ Deleted "pursuit of happiness...."

¹⁹ Deleted "if you are subject...."

²⁰ Deleted "a man—let us."

²¹ Deleted "that."

²² Deleted "the universal...."

²³ Deleted "you are...you...."

²⁴ Deleted "in Kant's... according...."

²⁵ Deleted "even under the...."

²⁶ Deleted "there must be...."

²⁷ Deleted "for the restriction...."

²⁸ Deleted "do you have this section, where he says, 'consequence?' Yes, in line 4."

²⁹ Deleted "that."

³⁰ Deleted "Here, on page 420, the paragraph beginning with 'all right.'"

³¹ Deleted "**Reader:** This basic law, which originates only in the general and united will of the people is called the original contract— . . . ' **LS:** Oh, no, that's another matter. Stop here."

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- ³² Deleted “Here, on page 423, second paragraph.”
- ³³ Deleted “Now, one more passage, if it is in this edition. No, it is not in there. When...”
- ³⁴ Deleted “is based on a principle....”
- ³⁵ Deleted “that cause.”
- ³⁶ Deleted “that is....”
- ³⁷ Deleted “**LS:** Does anyone have anything— Now, they don’t have the notes. **Student:** They have a couple but not all. Does he have the note where he discusses when he says, ‘no right in the state can be—...’ the 26th note?”
- ³⁸ Deleted “that it is.”
- ³⁹ Deleted “but there is one point which I thought is...was...again.”
- ⁴⁰ Deleted “because....”
- ⁴¹ Deleted “generally in....”
- ⁴² Deleted “political affairs.”
- ⁴³ Deleted “the mere fact....”
- ⁴⁴ Deleted “but we need some... the....”
- ⁴⁵ Deleted “the....”
- ⁴⁶ Deleted “**Student:** It is not in here. **LS:** It is not in this?”
- ⁴⁷ Deleted “something of their.”
- ⁴⁸ Deleted “Hobbes, Locke....”
- ⁴⁹ Deleted “I would....”

Session 9: April 28, 1958. *Metaphysics of Morals*

Leo Strauss: [in progress] —and that is not meant as a criticism, you know, as a radical criticism of your paper.ⁱ You did not have a point. Is this correct? You studied the material carefully and thought about it, and various observations and reflections occurred to you, but there was no single point to which you were driving. I say this because I would like to know. I was waiting for it, and it did not appear to me. What was that?

Student: I had kind of a loose assembly of points . . . I'm not sure yet.

LS: ¹I do not say this is not absolutely necessary, but if there is a central point it facilitates the discussion, and if I have not been able to discern it and if it is in [there], then you should tell us.

Same student: Well, it seemed to me there were these two themes: one, that the truly republican society is the rule of law and the law is sovereign, and also that in some sense there must be power, kingship

LS: Yes, sure.

Same student: And this is also related to the idea that in some way the mechanical forces of the phenomenal world, that is, brute power, must be made effective or must be made conditions for the realization of freedom . . .

LS: That was what came out at one point.² In other words, the only fundamental issue which you raise as far as I can see, and this seems to be confirmed by what you are saying now, is that at some point the characteristically Kantian teaching, the dualism of the phenomenal and noumenal, is to be discernible as the background of his political philosophy. Is that it?

Same student: But that this is related to the problem of the rule of law, because this is why the law can't rule; the law is ultimately derived from the noumenal world of freedom but it must apply in the world of force, so that in a sense it can't rule . . .

LS: I see. Yes, that is an original way of stating the problem, and you brought it out with³ one point of special importance regarding the dualism within each individual as subject and as member of the sovereignty. It is a pity you did not elaborate that. I mean, I have not thought of it, and I do not know whether it leads somewhere because I did not think of it, but it certainly has to be investigated. That the relation between law—I mean law as Kant means it here, namely, rational law, the dictates of pure reason—and force⁴ must have something to do with the difference between the noumenal, or the thing-in-itself, and the phenomenal. That I think is clear.⁵ I wish you would have elaborated that for the benefit of all of us, including myself.

Same student: I don't know enough Kant.

LS: Yes, all right. But still, at any rate we agree it is a real problem, but I will come to that later.

ⁱ Strauss responds to a student's paper, read at the beginning of the session. The reading was not recorded.

Only a few points.⁶ You say that Kant defines the state in terms of law rather than of force. Primarily that is correct. But⁷ later on you said “rulers and being-ruled is⁸ brought in addition to that.” That I cannot quite agree with, because when you say law, you say a legislator and those to whom the law is given. I mean, in the very idea of law ruler and ruled are implied. Even if the rulers are the citizen-body who assembled [to] give the law for the town, then the individual as not a member of the assembly but in his ordinary non-political life is of course subject, whereas in the assembly he is a member of the sovereignty. There is no difficulty there.

Same student: I was trying to imply the distinction between this and some liberal notions of law in which the idea of obedience is gotten rid of entirely.

LS: Well, that one could say is—how could one call such a theory? I mean, radically wrong. You could also say utterly unrealistic or whatever you want. There is no such thing as a law in which there is not at least [or] which does not imply the possibility of obedience, of compliance, or however you call it.

Same student: Yes, but it seemed to me he used law to get rid of the notion of coercion, that the existence of law does away with coercion.

LS: Well, coercion is very unpleasant but still, political laws, the laws we have, do have most of the time such coercive elements. You know there are certain difficulties which arise on the higher levels, say, the relation between the executive and the legislative, or between the federal government and the state government. There the question is sometimes raised: Do these laws really have a coercive power proper? The example of Arkansasⁱⁱ seemed to show that there is some coercive power, because if you send soldiers somewhere that always means coercion. But on the other hand, it is hard to imagine a use of soldiers⁹ for coercing either the Congress or the Supreme Court. Whether it is theoretically possible I simply do not know. But even admitting that there are quite a few laws which are not coercive,¹⁰ there are always some laws around which are coercive. That this is not pleasant is certainly true, but what can you do about that? Then we would¹¹ have to hear a strong argument in favor of anarchism, and that is really another matter. But that of course can always be tried.

Now¹² you said you would have liked to discuss Kant’s notion of autonomy and compare it with Aristotle’s notion of self-sufficiency. Why did you not follow that? Why did you resist this temptation?

Same student: I thought my paper was too long, and besides that I thought you would refute me. [Laughter]

LS: Well, yes. [Laughter] But¹³ assuming this to be true, to quote a very famous man,ⁱⁱⁱ¹⁴ would you not accept a minor modification in order to get a major instruction? [Laughter] But it should not be a modification in the first place. But all right, it would be very interesting to do that.

ⁱⁱ School desegregation in Little Rock, Arkansas in 1957 required the presence of the National Guard to protect nine black students.

ⁱⁱⁱ It is not clear who Strauss is referring to here.

You referred to another problem of comparison when speaking of¹⁵ Kant's forms of government versus the Aristotelian regimes. Now that can be dealt with fairly simply. What is the precise relation? I would like to make the remark that what Kant says about this subject is absolutely Rousseau. There is no originality of thought. Now what is the difference between Aristotle's concept of regimes and this concept of forms of government?

Same student: Well, they are both constituted out of groups of people, but in Kant these people have sovereign power. I don't believe in Aristotle there is such a thing. And also I'm not sure in Aristotle that people who give form to the state are supposed to be representative of the state.

LS: That is it. I see. So in other words, in the Rousseau-Kantian notion the sovereign is everywhere the same: the people. What Kant calls the republic¹⁶ could be called a somewhat qualified democracy. Now these qualified democracies, namely, qualified because people who are hired workers are not citizens—these sovereign people may delegate the executive power, [though] not the legislative power.¹⁷ Let us take a somewhat broader view, the Lockean and to some extent the Kantian view. The democratic people may delegate the power, the legislative and perhaps the executive power, to one man, to a group of men, and they may retain their power. So in other words, here we have a difference only of forms of government, not of sources of power; whereas in the Aristotelian doctrine, the monarchy and the aristocracy is of course ruling in its own right and not in a right derivative from the people. The monarchy and aristocracy in Aristotle are not representing the people; they rule in their own right, whereas in this modern notion, which has of course a scholastic prehistory, all governments are derivative from a fundamental democracy. And that is a crucial difference.

But the form in which Kant states the problem¹⁸ is in principle the Rousseauan form: only a republican regime can be legitimate. That meant in Rousseau, more clearly than in Kant, only an order of society in which the legislative power remains in the hands of the whole citizen body. The executive power ought to be delegated for the sake of orderliness and freedom and so on, and that may be delegated to one man and to a small body of men or to any combination they desire. But the legislative power belongs essentially to the people assembled. In other words, in Rousseau's case it must be a direct democracy.¹⁹ [Representation] would already be a defect, because if you have a representative democracy, according to Rousseau, there is already the possibility of an independent interest of the parliamentarian. The whole issue in the nineteenth century (say, in the first thirty years of the nineteenth century; now it is obsolete) between parliamentarian and direct democracy—you know, it played a special role in France. But you have it in this country too: All the attempts to go in the direction of direct democracy (referendum, initiative, and last but not least, public opinion polls) mean of course the sovereign²⁰ must be the people themselves and not their representatives, the idea being that the representatives may form an interest of their own. For example,²¹ in certain cases, say, regarding their compensation, they write their own ticket.²² And an interest of their own, a class interest or a caste interest may develop which is incompatible, and therefore they can no longer be a hundred-percent representative of the people.²³

Now as for the question of the unjust war: On the one hand, Kant says very clearly that there cannot be an unjust war, because an unjust war presupposes the existence of a legal order; and

since there is not yet a legal order (a federation of states to which all states are subject), the distinction between just and unjust remains entirely arbitrary because²⁴ in every case judge and accuser are the same person. Therefore the concept of unjust war is thrown out by Kant (just as it was thrown out by Hobbes) and the whole typically modern tradition of international law, whereas in premodern natural law the concept of just war had an important status.

But here a difficulty arises which is similar to that which arises in Hobbes's political doctrine in the problem of domestic affairs. Hobbes says it is impossible to make a distinction between the just and unjust ruler, because if you can make such a distinction you are the judge of your sovereign, and that²⁵ must be rendered impossible. But on the other hand, Hobbes teaches that civil society must be established, a prince must be established in order to safeguard the rights of man. And here you have an objective criterion for saying whether the prince is just or unjust. Does he or does he not safeguard the rights of man? And he is caught between the horns of this dilemma and never solves it. Hobbes, in other words, is compelled to admit that there is a possibility of an objective distinction between the prince and the tyrant, and he is compelled to deny it, because²⁶ if he would admit it he would admit in principle the possibility of legitimate resistance: you can resist a tyrant.²⁷ And he does not want that, because it leads to anarchy.²⁸ Certainly you have here a situation where there is no clear[ly] established judge who decides the issue.²⁹ And on the other hand,³⁰ no distinction must be made between prince and tyrant, but then he gets into another difficulty because another question arises: Why should I obey the prince?³¹ And this question cannot be answered on the basis of positive law, because positive law is of course derivative from the prince, and the authority of the prince can ultimately not be established by positive law. We have to turn to natural law. Hobbes therefore has to develop a natural law teaching, which is said to issue in the uncriticizable power of the prince, but which of course acts also as a criterion for judging the actions of the prince. If everyone has the right of self-preservation, then this right, with its implications naturally at the basis of the power of the prince, limits the power of the prince, inevitably. And Hobbes never solves this problem.

Now something similar happens in Kant. He says there cannot be an unjust war, but³² by indicating clearly what the character of the just war is, he admits the possibility of an unjust war. For example,³³ let us assume [that] a war must not be waged with means which make impossible future confidence and trust between the warring nations, [e.g.], the use of poison. [Then] you send an attractive woman, you know, over to³⁴ the commanding general of the hostile army and she poisons him; and since he is the only able general, you win the war. According to Kant that is absolutely impossible, because that destroys the possibility of trust. All right, but if someone does this, does not the war by this very fact become unjust? I think that is the same difficulty in which Hobbes was, and fundamentally for the same reason.

Now there is another point which you also raised which shows a great difficulty, and that is the right to dissolve the league of nations after it has been established. What was your reason for this suggestion of Kant in your opinion? You gave the reason but I forgot it.

Same student: I thought he was afraid of tyranny.

LS: No, because a league of nations, as you rightly said, would not be a tyranny—I mean a league of equal nations. No, I believe it is simply a consequence of the dogmatically preserved

principle of the sovereignty of each nation. And therefore if the sovereignty of each nation³⁵ is sacred by natural law or by rational international law, then it must be preserved under all conditions. And then he must very absurdly, it seems to me, insist on its maintenance, although in this stage,³⁶ this state of a league of nations would be morally and judicially higher than that of mere sovereign nations surrounded by lawlessness. It is not clear how it is worked out—

[change of tape]

—a proviso would obtain in both cases that it may be dissolved, and there is no visible reason why this permission should be granted.³⁷ Then it would not be a league of nations but simply one overpowering colossus forcing it.³⁸ That is [clear].

Now I come to the most interesting problem but I really do not know what to say about it, and that is what you said about this dualism of the phenomenal and noumenal.³⁹ Each man, qua member of the sovereign body, of the legislative body,⁴⁰ is an end in himself—an end in himself; but qua subject, mere subject, he can be used as merely a means. That was your point.⁴¹ It would be very interesting if you could prove that, but⁴² I am sure of one thing, that Kant did not mean it. [LS pauses.] I mean, I think of the following. I really have not thought it through, but what occurs to me mainly is this. Aristotle says we rule our body despotically,⁴³ that is to say, as a master rules his slave. Our body has no inherent dignity. Yes? Good. Now from this point of view of course one could say [that] the government too, assuming that it is a just government, could also participate in this right to rule our body despotically, which would include such rights as inflicting capital punishment under certain conditions, or even⁴⁴ to have—how do you call this, if you are spanked publically? What is the English term for that, *Prügelstrafe*?

Same student: Public whipping.

LS: Yes. In other words, here this thing-in-itself wholly lacking dignity, the mere body, is publicly whipped as a punishment for certain kinds of misdemeanors, and the dignity of man is in no way affected by it.⁴⁵ Do you mean such situations? I mean, what Kant absolutely rejected was mutilation of the body as punishment,⁴⁶ cutting the ears off and this kind of thing.⁴⁷ Capital punishment is all right and, as far as I have seen, there is no objection to public whipping—I mean of grown-ups.

Same student: I didn't mean quite that. I meant simply that the passive use of citizens by the state or by the sovereign—

LS: Yes, what is that in the case of punishment? . . . In the case of punishment, someone is for example condemned to jail—Kant discusses that—with perfect justice. But that is because he has willed not the punishment but the unjust action, and since he entered society with the understanding that his freedom would be restrained to the extent, and only to that extent that it is compatible with the freedom of everyone else under public laws, in the moment he acted against that—for example, by committing an act of theft and therefore unlawfully restricting the freedom of someone else—it is perfectly in order that he be punished for it, and the punishment consists in a very severe additional restriction of his freedom. But since this was provided for by public law, he cannot complain. If he had not stolen it, this would not have happened to him. So in other

words,⁴⁸ it is even a recognition of him. One can develop this thought along these lines as it was developed later on by Hegel. It would really be disrespect for his human dignity not to punish him and to regard him as a—how shall I say it?—as an idiot, you know, as an irresponsible person. Precisely because you respect him you want to bring this infraction, [since] this disorder must be brought back to order by means of punishment.⁴⁹ I am sure that this problem of the noumenal and phenomenal man must come in somehow, but I do not yet see how clearly.

Same student: It seems to me that he does go out of his way to talk of the political mechanism, and people as units in that mechanism, very often in this—

LS: Yes, and I know he used the expression “automaton” once.

Same student: And he gave several examples in the essay of people who simply have to pass on their orders, and he quickly turns to their other function as active members.

LS: Yes, I wish Mr. Wilson and Miss Skewes^{iv} would think of this problem, whether they can get some greater clarity about that, how far this automaton or mechanism of civil society creates a problem for the dignity of man as Kant must have meant it. It is perfectly possible. I only do not see it.

I see more clearly another difficulty which I mentioned last time, and I do not want to say that it is perfectly clear in my own mind. I think we must work together to achieve some clarity. Now this refers to one paragraph, the only place where I think your presentation was not adequate, and that is paragraph 44, ⁵⁰[6:312], Kant’s discussion of why it is our duty to enter civil society.⁵¹ Kant has always said [that] it is not a matter of prudential reasoning—i.e., that it is good for my self-preservation or my pursuit of happiness to live in society and therefore also to accept the conditions of society—but [that] it is our moral duty.

Now I would like to prepare our reading of that with a few general remarks⁵² I mentioned last time . . . The [basis of the] whole argument of Kant as developed in his *Metaphysics of Morals*, but also partly in his more occasional small writings,⁵³ is [that] freedom, external freedom, is *the* natural right. What is the basis of this assertion? Is freedom, in this sense of external freedom⁵⁴—meaning freedom to move, freedom to make your own decisions—⁵⁵required for morality? Is it impossible for a slave to act morally? It seems no. Freedom would simply be required for the pursuit of happiness; for pursuing happiness means, according to Kant, to pursue happiness as I understand happiness. Happiness is not an objective but strictly subjective concept. The lack of freedom means in the best case that someone else imposes on me his notion of happiness, which is as subjective as my own. I say “in the best case”; in the worst case he may simply want⁵⁶ to make me miserable, and then of course what right has he to do that? But precisely if happiness is so radically subjective, why can the right to the pursuit of happiness be sacred? If one says that freedom is required for acting morally with safety, it is a concern with safety, i.e., with well-being, with happiness, which is the rationale of freedom. What then is the moral ground of the right of freedom? You must never forget that for Kant considerations of happiness as such are not moral. They are not necessarily immoral, of course, but they are not simply moral.

^{iv} Students scheduled to read their papers in future sessions.

Now I am morally obliged to treat any human being not merely as a means, as a tool. I must recognize the dignity of every human being. Kant does not say it, but one could almost say [that it is] because [man] is created in the image of God. You must never forget that. But Kant does not say that. I am morally obliged to treat every human being as a free being, as a being which has the right to make his own decisions. But in all matters, or in any way he sees fit? No. He has this right only to the extent that he grants the same right to everyone else, including myself. Then from this it follows that I am morally obliged to respect the dignity of man also in my case. I must therefore claim for myself also the right to make my own decisions. But does not the moral slave as a moral being make his own decisions, for example by refusing to obey an immoral command of his master? The duty to respect the dignity of man refers to man's moral potentiality. Everyone must have a chance to become actually moral, whereas⁵⁷ actual morality does not require freedom; as is shown by our moral slave, freedom is required for becoming moral. Think of the slave when he was eight years old, or seven years old. Perhaps the moral slaves were not born as slaves but acquired their morality by being free men. But what is that which makes it practically impossible to become moral⁵⁸ if one is not a free man? What is the difficulty? Now I appeal to your own observations and reflections. What is it which makes it practically impossible or, to be more careful, extremely difficult, to become decent for people? What is that?

Student: They don't have the habits or . . . not making their own decisions.

LS: Yes, but you see there are difficulties. Surely, habituation, I am thinking of that, but not all conditions are equally favorable for habituation, and there may be a kind of lower limit beneath which habituation to virtue is humanly speaking impossible. Descartes discussed this once in a somewhat jocular vein when he was attacked by an adversary because he was a nobleman. He said he was sorry, he could not help that; but after all it does not make any difference where you make your first steps in virtue, whether you make them in the castle of a nobleman or among the camp followers in an army—you know, the female camp followers. The nasty thing was that the mother of this adversary had been such a woman. [Laughter] So there are different conditions.

Now what is that? Kant seems to say [that] *the* condition is freedom in the sense of not being a slave. Is this a sufficiently good analysis of the difficulties obstructing a decent upbringing? Do you see the point? I mean, we are not speaking now of actually moral people. After having become moral,⁵⁹ they will act moral under all conditions and prefer all kinds of tortures and death to an immoral act. But what about people who are not yet habituated? Then external conditions play a very great role. What I am driving at is this. If this is a consideration of Kant—and this I do not know, and I do not believe that it is, for the reason⁶⁰ [that] for Kant habituation does not play the role that it plays for Aristotle—but even assuming that it were, and then it would be a reason of some importance, then freedom, i.e., not being a slave, is by no means the only or the most important consideration. There may be living conditions—this theme which is now mentioned⁶¹ every day in the newspapers: broken homes, slums, and this kind of thing, juvenile delinquency. In other words, this reasoning would lead you as much to the so-called welfare state as it would lead you to Kant's *Rechtstaat*, the state of right, which strictly restrains from any welfare operations as such. I really do not know what—.

I repeat my question. Let me finish that, and then we argue. What then is the basis of the assertion that there is only one natural right, the right of freedom? Men use the natural right to freedom because they have the duty to act morally. If a man is not free, he can be forcibly prevented from doing many things which it is his duty to do. That would of course apply to our moral slave as well. He can be prevented from doing this by immoral men, his masters. Given the fact, the *fact* that some men are immoral, there is needed a protection for the right to act morally and therein lies the moral necessity of coercion, i.e., of the state, because there are some immoral men. There do not have to be many. And that means that some men or in principle all men may be prevented by the others from acting morally, and therefore there is a moral necessity of freedom.

But in this case, if we argue [in] this way, we admit one thing: that the doctrine of the just society based on the freedom of each rests on an empirical fact that there are some immoral men. Kant demands an *a priori* deduction of the right of coercion, or of the state. So all right, let us try to do an *a priori* deduction. We do not need knowledge of the fact that some men are immoral. The phenomenon of the moral law itself implies that men may be immoral, obviously. The *a priori* possibility of immorality is *the* legitimation of the state as an organization meant to protect man's unimpeded right to the execution of the moral law. That would be a perfectly moral deduction.

The state cannot have the function to protect any alleged right to act immorally, or even to act according to discretion in morally indifferent matters. That is an entirely different proposition. Is this clear? Well, I try to be as loyal as I could to Kant's theory of morals, and then I can achieve a deduction of the right of freedom as a right to act morally, unimpeded by any possible immoral man. It makes sense to me. Now let us see what Kant in fact does, but before we turn to that let us see whether the argument is improper, inexact, unconvincing or so at any point. I really would like to learn that, and I hope you will also learn from each other.

Well, to remind those of you who do not remember the discussion of last time as well as I remember it, the point was this. I have the strong impression that Kant's right to freedom is a hybrid, the real basis of which is the right to the pursuit of happiness which, we all know, [is] where happiness means the right to happiness however I understand it. A hybrid of this right to the pursuit of happiness on the one hand, and the right to act morally on the other, which right would be derivative from the duty to act morally. And the peculiar advantages as well as the peculiar obscurities of Kant's doctrine are based on this invisible switch from happiness to morality, which for him would be a particularly grave thing. And that is the background of my present presentation. Do you see any problem here?

Student: I was wondering if Kant had anything of this notion that there cannot be such a separation between freedom and morality. In other words, that freedom is involved in the very constitution of a moral act, and a moral act is only moral if—

LS: Sure, but this freedom, the moral freedom proper of which people were aware all the time (even prior to Kant, naturally) exists of course in a slave as well.

Same student: Does it?

LS: Ask Father Buckley, who knows better than any of us the traditional teaching. It is not pleasant to act morally and create all kinds of other problems, but⁶² what would be the alternative? It would be that the moral freedom of man is at the mercy of any crook or crooks.⁶³ [If] morality means in the best case the use of certain peculiar opportunities, which opportunities do not depend on us but depend on chance, what would come out of morality?

Same student: Well, I was just wondering that Kant might have some slightly different conception—

LS: Yes? I would like to find out what that is.

Same student: If perhaps the notion of self-respect might not be an integral part of—

LS: I tried to consider that.⁶⁴ But where would it enter? Then it would mean that you can never have or use another man as a slave, because a slave means, according to Aristotle, a living tool.⁶⁵ That it did not contradict in Aristotle's opinion the dignity of man is another matter, because he understood by slaves in the strict sense nitwits. But if he were not a nitwit and had become a slave by virtue of having become a captive, then of course you have to respect him as a human being.⁶⁶ It is perfectly compatible with respecting someone as a human being to give him the task to bring in wood or to bring the manure to the field. I mean, you must not be squeamish here.⁶⁷ If you have some high notions of what befits a gentleman, that does not come in when we speak of the rights of man as man.⁶⁸ Any labor is as such, if it is labor, respectable, of course. I mean, unless you speak of criminal acts or simply indecent acts, which could not be called labor.

Same student: What about the citizens of the state who have the quality of self-mastery? Is Kant identifying this in any way with self-respect?

LS: Yes. You see, that of course would be the point, but where you decide it is hard.⁶⁹ What is the decisive difference between the moral doctrines of the rights of man, which Kant embodies, and the Platonic-Aristotelian notion? In the Platonic-Aristotelian notion, all rights presuppose a natural fitness, all rights to speak of. For example, such a right as the right to be a freeman presupposes that you are fit to be a freeman. Not everyone is fit to be that.

Now let us really see how the classical argument runs.⁷⁰ A freeman means to have the right to be master over your own property for example, if you have any. But what does this mean? Are you fit to be a master of your own property if you are completely incapable to administer it, if you squander it, or if you use it in an absolutely foolish way? That is for Aristotle the problem.

Let us first see how Plato argues that out and see how we come to the practical notion. Such a man is not fit to administer his property. He should not have property. He should be assigned a function where he has a responsibility which he can master. For example, say he has to do certain limited routine work under considerable supervision and as little discretion as possible because he is sure to make a bad use of it.⁷¹ Whether that is technically slavery or not is not now our concern. But let us radicalize that, [and say] that this thought leads to the conclusion that

every man must be assigned that function and that property which he can do well or use, and use well. This presupposes, in other words, the rule of perfectly wise men who do the assigning. Plato's *Republic* is the document.

Whatever you may think of this proposal, and it has a certain logic in it because it draws our attention to the vagueness and ambiguity of the common notion of being one's own master or being a freeman, it certainly will not be possible, as Plato clearly enough indicated. But that is an important point, the important point: it is not possible. Hence, what is the consequence? We must replace the demand for the uncontrolled rule of wisdom by another principle: wisdom diluted by consent. These other non-wise people must somehow approve of the whole thing, and that means, of course, since they would never approve of something unqualifiedly wise, [that] some mixture between wisdom and non-wisdom is the best thing you can have. That is what Plato and Aristotle of course mean. But that has a very grave consequence. This mixture, say, the politically just—the politically just—cannot have the absolute sacredness which the simply just would have, and therefore it is possible under certain conditions to tamper with it because it is a rule of thumb rather than a sacred law. And all the difficulties of Plato and Aristotle are connected with that. One can very well say: Well, I want to have a clear rule,⁷² not a rule of thumb but perfectly rational and universally valid rules. That is the concern of many other people, and one of them,⁷³ by no means the least of them, is of course Kant.⁷⁴

Let us come back to the political problem. From Plato's and Aristotle's point of view there is in the first place no question that all members of a society do not have to be citizens, active citizens. Kant admits that, and Kant draws a line not greatly different from the line as Plato and Aristotle drew it. I mean, hired workers, people who are not economically independent, should not be citizens.⁷⁵ But the crucial question is slavery.⁷⁶ From the strictest point of view, Plato and Aristotle—Plato either rejects slavery altogether or Aristotle limits it to a kind of slavery which is of no practical importance, feeble-mindedness. For practical purposes they admit of course slavery as established, and that means that men taken as prisoners of war or otherwise taken by force can be used as slaves. It is not in accordance with the highest and strictest principle of justice, but with this rule of thumb. Kant, by taking a *severe* principle, does not have to raise the question of fitness at all and simply decides universally that respect for man as man makes it impossible to have any slaves. Is this clear up to this point?

Therefore, and of course more importantly,⁷⁷ while this is humanly much more attractive than what Plato and Aristotle said, it is all the more urgent to come to⁷⁸ the question: What is the rationale of that? That we like it, and that it seems to be much more humane in its consequences? That must be spelled out, at least. I mean, what is meant by the word humaneness? We cannot do it in the way in which Bentham seems to have solved the simpler problem,⁷⁹ as I read somewhere, [by saying] that the question of whether men are by nature fit or not fit for slavery is an irrelevant question.^v The only question which we have to raise, he says, is whether slaves suffer; and they do suffer, and that settles it—which of course is a bad argument, because people in penitentiaries also suffer and the question is not settled by the fact that they suffer, you see? Therefore, mere considerations of human compassion are not sufficient, and that is the question with which I am concerned. What is the rationale of Kant's right of freedom?

^v *Introduction to the Principles of Morals and Legislation* (1789).

Kant states the problem really in one way with an amazing clarity surpassing everything else, because, as I said last time, his predecessors started from the right of self-preservation or from the right to the pursuit of happiness. And that lacks the sacredness which Kant's right of freedom has.⁸⁰ This old-fashioned argument up to Tom Paine has a certain crude solid plausibility and is sufficient for chasing all tyrants from the face of the earth, and in this respect it has done a lot of good but also occasionally some evil. But I would not have any objection to that, but now Kant, being a severe thinker and a radical thinker, says that is not good enough. We must have a sacred right, and that would mean a right connected with our moral duty and not with our mere animal desires for self-preservation, comfortable self-preservation, pursuit of happiness. And also, more important comes the question: Is Kant's political philosophy linked up strictly with his moral philosophy? And I indicated how one could construe that. The strange fact is that Kant did not make such a strict construction, [a] deduction of the right to the freedom of each from the dignity of man or from the moral law. Now how Kant proceeded becomes very clear in this paragraph, number 44, of the *Metaphysics of Morals*.^{vi} Read it very slowly and I will correct while we go.

Student: You were speaking of this contrast between classical philosophy and Kant, and I was wondering how the importance of experience comes in here. It seems to me important but I don't know—

LS: Kant would say the moment you bring in experience—for example, say, the experiential fact that we cannot help pursuing our happiness as we see happiness, an experiential fact, in that moment you destroy the sacredness of the whole thing. You bring in phenomenal things,⁸¹ and you can never get true and genuine principles of morality by starting in this way.

Same student: Yes, that seems to be the point, then, if you completely disregard experience and you want to talk to other people and convince them of your moral standard or your moral ethic and they tell you, yes, but in experience, I mean, when I experience something I can't act out of duty, I act out of other things, and he replies, well, you just have to anyway because—

LS: Kant would say then you can never act morally. You can prudentially and can be a very clever crook, but you will be a crook.⁸² Clever crook meaning you will never do things which will bring you into jail, to say nothing of more unpleasant places, and you will even get a good reputation (Kant grants you that), but a good reputation which is not really deserved because you act morally for immoral reasons for the sake of your reputation, not for the sake of your duty.

Same student: It seems that if a person doesn't have a lot of experience, say, in making moral decisions and interacting with people, it would be very easy for him to say that, but what kind of an argument could he give to transcend the elusive and vague factor of the importance of experience in moral actions?

LS: We have taken this up already. Were you present when we discussed the example of the eight year old child?

Same student: Yes, and I didn't understand—

^{vi} [6:312]

LS: Yes, well, I cannot blame you for that, but still we have to take it up again and more coherently when we come to Kant's *Foundations of the Metaphysics of Morals*. *Foundations of the Metaphysics of Morals* is a short writing of about 100 pages to which we will devote three or four meetings. I cannot go into that now.

Student: When a someone is already moral he does not need to be trained to be moral . . . institutional slavery to make moral the immoral man . . . as a kind of schooling or training.

LS: I see . . . but that is of course utterly immoral. Now you could take these very small children, who are brought . . . and if they have never had any inkling of that, then the natural impulse in them toward morality is stifled, and so they will become criminals. Sure, but that means of course the trouble is that political freedom alone—meaning if there are no slaves in that society—is not sufficient. Then the question of so-called social conditions making such schools of criminals also will be criminal. In other words, it is perfectly imaginable that mere penal laws are not sufficient to protect very young people against such influences. You must have heard about that, people talk about such conditions all the time. If that is so, then you are driven by this reasoning not necessarily to Kant's state, which is in principle limited to the establishment of a legal order and its preservation and nothing else; you may be driven with equal right to something approaching the welfare state. I say approaching: it does not have to be a full-fledged welfare state. And that shows that [this was not] Kant's reasoning leading up to the demand for freedom as the fundamental right.⁸³ He did not think of these poor children trained to become thieves; he must have thought of something else. What this something else is we do not know.

Student: I wonder whether maybe there is a negative argument that Kant could make, and that is that if you have a society where men are not free, then those who are ruling over them are being forced to act immorally, so that perhaps the requirement of freedom could be set forth as something to prevent others from acting immorally on the free men.

LS: There may be something in what you say, but can you give an example?

Same student: If one man is a slave that means that he is being used as a means by some other man, so that the man who is using him as a means is thereby not acting morally, and in a society the more slavery there is, the more immoral action there is on the part of those who use these slaves.

LS: I see. In other words, you would argue as follows, and let us see whether that works. The moral law forbids this: to use a man merely as a means. But the establishment of slavery then enables men legally to use men as mere means. Therefore, slavery is absolutely immoral; and since slavery can manifestly be prevented by legislation, whereas moral virtue proper cannot be produced by it, it may very well be that this is what Kant meant. But I would still say, if that were so, Kant's argument would be—in other words, that what you say is not good because it would show the possibility of a strict moral deduction, a deduction of the fundamental right from

moral law.^{vii} And that is what one would expect Kant to do. I must see whether this works. I can only say that Kant did not do that. Kant must have had another motive.⁸⁴ If what you suggest⁸⁵ works out, and at the moment I see no difficulty, that would be to state things more clearly than Kant himself would state them. There is nothing surprising in that.⁸⁶ In these matters, Kant shows an amazing lack of clarity and an amazing imprecision. Just to prove this little point that Kant's way of writing was very strange—did you find in your edition the passage about murder of children?

Student: No.

LS: Now listen to this sentence: “Regarding the preservation of children who have been exposed for reasons of neediness or shame or have even been killed on that account”^{viii}—mind you, regarding the preservation of children who have been *killed*. And then in another place he says that the state has the right to lay a tax on the people for the preservation of these children. Kant added “killed children” and forgot to see that they have no place in it. [Laughter] I mean, that is not a very exact way of writing. To come back to your—one of you had something—

Student: . . . This idea of freedom from the imperative: it would seem that you get the imperative from the idea of freedom. If you are in a situation and you want to decide what to do, and you see a lot of things happening around you, and instead of looking at them you totally disregard any experience that is going on and you have a picture of an ideal person whom you believe in, and you think this is the way men should be and this is the way we should head. And instead of looking at things going on around you, what we would call experience, you look at this ideal man, and you don't see him in the future the way he would have to be but you take him out of the future and you put him right here, right alongside this experience, and you make this the real object that you look at when you decide what you are going to do—and so the only way you can do that, I mean, totally negating experience, you get this sort of sense of duty and you say: I'm going to do what is dutiful because if I let anything else come into it, I may be letting experience influence me, and I can't do that because it is most important to do the things in terms of getting toward this ideal—

LS: Duty is not an ideal. It is of the essence of an ideal that it may or may not be realized, and that does not depend on you. A duty is something which you have to do, and the fact that you *can* do it is implied in the fact that it is your duty. You must keep the ideal man completely out of the picture.⁸⁷ Really, it would lead us too far. Now we will come to the fundamental rights of Kant, where he explains that. By starting from ordinary orientation, we say about a given individual [that] he acted decently or [that] he is a decent man, and that another human is a crook. Doing so is an ordinary everyday occurrence. And Kant contends that this apparently extravagant notion of what morality is is implied in every situation. We must study that, but we cannot go into that now. Mr. Salz?

Student: . . .

^{vii} It is curious that Strauss says the student's suggestion is “not good” and then goes on to provide a reason why it may be correct. We leave Strauss's words as they were spoken. We can perhaps presume that while thinking of an objection to the suggestion, Strauss came upon a reason to find it plausible.

^{viii} *Metaphysics of Morals* (1797); [6:326]. Strauss's translation.

LS: But Kant says you *can* do that. I mean, regardless of whether Christianity says that, you can do them; that is implied in the very fact that they are your duties. But that leads us really too far. We must finish now this part of the argument. Now we come to Kant's reasoning in which he⁸⁸ speaks about this fundamental point. Now read carefully.

Reader:

It is not from any experience prior to the appearance of an external, authoritative, legislation that we learn of the maxim of natural violence among men and their evil tendency to engage in war with one another—

LS: No, no, that is not quite it. "It is not experience by which we are informed about the maxim of violence which men have and of men's malice, as a consequence of which they fight with each other prior to the appearance of an external, powerful, legislation." Yes?

Reader:

Nor is it assumed here that it is merely some particular historical condition or fact—

LS: "historical condition" isn't there. "It is also not a fact." Yes?

Reader:

that makes public legislative restraint necessary. For, however well-disposed or fair-minded men may be—

LS: How does he say it?

Reader:

However well-disposed or fair-minded men may be considered to be of themselves, the rational idea of a state of society regulated by law must be taken as their starting point. This idea implies that before a legal state of society can be publically established, individual men, nations, and states can never be safe against violence from each other. And this is evident from the consideration that everyone of his own will naturally does what seems to be—

LS: Oh no, no, no. "And this shows from the *right* of everyone to do what he thinks right and good, and in this respect not to depend on the opinion of another man." Yes?

Reader:

Hence, unless the institution of law is to be renounced, the first thing incumbent on men is to accept the principle that it is necessary to leave the state of nature, in which everyone follows his own inclinations, and to form a union of all those who cannot avoid coming into reciprocal

communication, and thus subject themselves in common to the external restraint of public, compulsory laws.^{ix}

LS: Yes, now let us wait. So what then is the point which Kant makes? And I ask you, especially Mr. Burns, if you recognize anything of your reasoning in this remark of Kant? Even if all men were in fact just, Kant says, the state would still be morally necessary. That is, Kant figured this wholly independently of the sound premise that men are not necessarily moral. This premise follows from the principle of morality as freedom, as moral freedom. Kant says that even if all men were in fact moral or just, the state would still be necessary. The necessity of the state derives from the right of each to do what he thinks to be right. This necessarily leads to insecurity and to the legitimacy of violence, because what I think right may very well be different from what another man thinks right, and therefore violence necessarily follows. Think of a fish. I think it belongs to me, you think it belongs to you, we have no judge. In other words, the old Hobbean argument, but not derived from the Hobbean root, self-preservation. Everyone has a right to do what he thinks to be right. But why does this follow?⁸⁹

I try again. Man is obliged to act morally. According to Kant's hypothetical premise here, the men in question do act morally. Kant says you may think them as fair-minded and kind as you wish,⁹⁰ so in other words, these men are all men of good will and still you need a state. But you could say: Very well, they may be fair men of good will, but perhaps it is difficult to say what is the right thing in complicated circumstances; and therefore dissension [and] violence, [and]⁹¹ the need for authority, and especially educated men of long experience, people we call popularly judges, because the complexity of the questions is such that not everyone can judge them. Yet, as we have seen from the famous example of the eight year old child, the moral law is clear in all cases. There is then no legitimate difference of opinion regarding right.⁹² If all men are assumed to be men of good will, perfect harmony would follow. What then is the rationale of coercion, of the state, or what is the peculiar character of this right of each (how did he put it?) to do what he thinks to be right,? Why is this right of such a nature that it necessarily leads to conflict? Even perfectly virtuous men would need the state.

Now this thesis of course has been stated before.⁹³ I mention only two examples, in the discussion in the *Summa [Theologica]* as to the state of men in the state of innocence. Would government have been needed in the state of innocence, according to Thomas Aquinas, Father Buckley?

Father Buckley: Yes.

LS: What is the main reason?

Father Buckley: To organize action for a common goal. Even if they are all virtuous, even assuming no one is evil, you still have a number of people who will have common goals, and someone—or by some means you have to organize action to achieve those common goals.

^{ix} Immanuel Kant, *Eternal Peace and Other International Essays*, trans. W. Hastie, B.D. (Boston: World Peace Foundation Press, 1914), 134-135; [6:312]

LS: Yes, but is it not equally important, to say the least—I looked up the section: first part, question 96, articles 3 to 4—⁹⁴ for the Thomistic argument, the inequality of men?⁹⁵ Even the angels have a hierarchy of understanding and therefore, all the more, men. Now this of course is completely out.

Now the other part of the argument was developed by Monsieur Simon,⁹⁶ Yves Simon, [in] *Theory of Democratic Government*,^{x 97} where inequality is completely disregarded deliberately, and the point is that no rational decision is possible as to where equally good means for the common good, and therefore the need for authoritative decisions. That is roughly the argument of Simon.⁹⁸ But neither [of these] is Kant's argument. Now let us read the conclusion of this paragraph.^{xi}

There must exist in the state of nature a provisional external mind and kind. If that were not so there would not exist any command to leave the state of nature.^{xii}

In other words, the necessity of government, of coercion, is based on the fact of private property, which is of course also a Rousseauan thought, as you know.⁹⁹ Again I raise this question. Man is morally obliged to live, that is to say, not to commit suicide. He has the right to appropriate food, clothes, and shelter. But why does this require private property in lands and houses, for example? There are powerful reasons in favor of that based on the nature of man. Think of Aristotle's criticism of Plato's communism. This reasoning is in no way divorced from considerations of happiness. Aristotle says it would be unbearable never to be alone, not to have any privacy, which is a very powerful reason but clearly not an *a priori* reason. Things are better taken care of if they are an individual responsibility and not the responsibility [of]¹⁰⁰ everybody, as there would be when there is communist ownership. These substantive, not formal, considerations are used by Aristotle against communism and in favor of private property.

But¹⁰¹ where does private property come in here in Kant's argument?¹⁰² We can say that private property is the equivalent to this right of everyone to do what he thinks right and good. Given this right there follows essentially conflict, even assuming perfectly wise and virtuous men. That is the difficulty. I mean, we have to think of this fundamental right because that is only another expression of the right of freedom. The right of freedom means the right to do what you think right and good. Because a slave has not, obviously, has not that right.

I think it is of some importance to look at the passage which is not in this edition, in the introduction to the *Metaphysics of Morals* where Kant has a paragraph entitled, in very big letters: "The inborn right is only a single one," freedom, independence from any other man's compelling arbitrariness.^{xiii} To the extent to which it can coexist with everyone else's freedom in accordance with this general law is the only original right, which belongs to every man by virtue

^x Yves R. Simon, *Philosophy of Democratic Government* (1951).

^{xi} The student begins to read the wrong passage, and then Strauss picks up reading.

^{xii} [6:312], Strauss's translation.

^{xiii} Strauss's translation of the paragraph titled, *Das angeborene Recht ist nur ein einziges*, in Kant's *Einleitung der Rechtslehre* [ed. Kirschmann, 40.]

of the fact that he is a man. And Kant shows then what this implies¹⁰³: the quality of a man to be his own master, *sui juris*, is also the right of an—what is an *unbescholtener Mensch*?

Student: “Untainted man.”

LS: Yes, all right. Is this a legal term? How do you call a man who has never been condemned by a law court?

Student: A clean record. [Laughter]

LS: All right, let us leave it at that. “Of every man with a clean record.” Now the next point is: the right to do that against others which in itself does not harm them, provided they do not accept that. For example, to communicate to them one’s thoughts, to tell them something or to promise them something whether true and sincere or untrue and insincere because it depends entirely on them whether they want to believe me or not. That belongs to the fundamental right of man. You see, there is something which is not too moral¹⁰⁴ [in] the essence of this freedom. That is the great difficulty.

Now I can easily see many prudential reasons in favor of such a right. The very simple consideration: If men did not have the right to lie, then¹⁰⁵ where would you get the police force and even the statute books to make this stick?¹⁰⁶ If you want to have some reasonable and unencumbered freedom, then you must take it easy in these matters. You can state it also [this way]: if that were not true, a severe rise of censorship would necessarily come in, even preventive censorship. So I mean there are practical reasons, prudential reasons, for allowing this kind of freedom, which in fact exists.¹⁰⁷ Think of any advertisement: constantly insincere and untrue promises that a certain toothpaste will save you your teeth for the rest of your days, and no one regards this—but still, a very moral man would not do it. But still, the legislator in his wisdom allows these kinds of things and other things too. But the extraordinary thing is that a man with the moral severity of Kant includes this in the only innate right of man as man, and therefore I have the feeling that there is something not too moral implied in Kant’s doctrine of freedom: concessions which are perfectly defensible on prudential grounds but which are not defensible as sacred. That is the point I am making.¹⁰⁸

You see, for this reason here, the right to do what one thinks right and good—if that is understood to begin with, if people are of very indifferent morality and that must be granted to them, we must assume that then of course it leads to violence in itself, and then of course you must have coercion to prevent that violence. But this right, linked up with a hypothetical premise that all men are good and virtuous and sufficiently wise, does not lead to the justification of coercive government.

Incidentally, according to the Thomistic teaching,¹⁰⁹ this state of innocence government would of course not be coercive but would only be directive, naturally. Surely. But here we speak of coercive government—

[change of tape]

— but that is a very far cry from the strict moral prohibition against slavery to the political equality of all men. Now in Kant (we saw this last time) the legislator or the sovereign must be guided by the eternal principles of justice. But at the same time he must be guided by the consideration that he must not give a law which the whole people in its right mind would not have imposed on itself.¹¹⁰ If you speak of the eternal principles of justice, that is the old-fashioned, classic orientation. But to make the will of the people the criterion of justice, that is the Rousseauan orientation. Kant identifies with that,¹¹¹ and the reason for the identification is the right to act as you see fit which, prior to the establishment of government, means in fact a right to do everything that one wants. Well, it makes sense.

Even in Hobbes there is a subtle distinction between moral and immoral . . . when Hobbes says obviously the right of self-preservation means the right to the *means* for self-preservation only, I mean, if I do not have the right to the means for self-preservation I cannot preserve myself. And then the question arises: What about the right judgment of the means? And there are all kinds of people with all kinds of judgments. So if you want to have a strict *a priori* law, you cannot make any specification regarding the judgment and can only say [that] only wise men must be the judges of what is conducive to the self-preservation of Mr. X. Because as Hobbes wisely but empirically observes,¹¹² Mr. X has a much greater interest in his self-preservation than a wise man does, because a wise man may not particularly care for his self-preservation whereas Mr. X can be presumed to care very much for his own self-preservation. Therefore we must say [that] anything which anyone may regard as a means for his self-preservation is justified as such. And then of course practically no action remains which can be rejected or denied¹¹³ as a possible means for self-preservation. Therefore, for this reason and for this reason only does every man have the right to do anything prior to civil society. Now civil society of course abolishes that immediately and establishes law and tells everyone what he may or may not do. This survives somehow in a strange way, but in a very important way, in Kant's argument. That would be my provisional answer to your suggestion.

Student: Well, I have a kind of a vague idea that somehow when we were talking about freedom that we were not talking about it exactly in the way that Kant did.

LS: That may be. That would be bad.

Same student: If freedom is acting in accordance with a law which you impose upon yourself and in accordance with a maxim¹¹⁴ that ought to be able to be universalized, then couldn't you argue that you have a moral duty to set up that kind of state which would make it possible for each man to act in such a way that it could be universalized?

LS: But the trouble is that there is no direct linkage in Kant between¹¹⁵ the categorical imperative and¹¹⁶ this crucial part of his teaching. I mean, the fundamental right is defined as the right—to repeat again, lest I make any slip: freedom, to the extent to which it can coexist with the freedom of everyone else according to a universal law, is the only original right belonging to every man by the very fact that he is a man. For example, let us take this freedom¹¹⁷ to speak truthfully or untruthfully, sincerely or insincerely. It fulfills this condition. That can very well¹¹⁸ coexist with the freedom of everyone else under universal law. As a matter of fact, it exists in fact. You may advertise another toothpaste as untruthfully and insincerely as the fellow now

does. Nothing prevents you and no trouble arises from this very fact, whereas morally you have not the right to do that. You see, in other words, this freedom is much laxer than that freedom to which you are entitled as a strictly moral man. The difficulty remains.

But we must now stop and take it up next time. There are also quite a few particular passages in today's assignment which need discussion, and so I believe we will need at least part of¹¹⁹ [next time's] meeting for this discussion. I see already we will not be able to do the other things I had hoped to do. We must be very glad if we can come safely through *Perpetual Peace* and the *Fundamental Principles of the Metaphysics of Morals*. Perhaps we can add an additional meeting at the end of the term, where we will have an overall discussion of the issues on which I touched in the beginning and which are naturally reflected in the course of the succeeding discussions.

Student: What will be the next work we take up?

LS: *Perpetual Peace* and then the *Foundations of the Metaphysics of Morals*.

[end of session]

¹ Deleted "I mean."

² Deleted "where you refer to this dual..."

³ Deleted "one page..."

⁴ Deleted "must be..."

⁵ Deleted "it would have been..."

⁶ Deleted "that."

⁷ Deleted "as you add immediately..."

⁸ Deleted "being..."

⁹ Deleted "for using..."

¹⁰ Deleted "but."

¹¹ Deleted "hear..."

¹² Deleted "what do you"

¹³ Deleted "wouldn't you accept..."

¹⁴ Deleted "wouldn't you prefer a minor modification..."

¹⁵ Deleted "form..."

¹⁶ Deleted "what which..."

¹⁷ Deleted "let us even say—no, not in Rousseau the legislative power, but."

¹⁸ Deleted "is exactly..."

¹⁹ Deleted "representative."

²⁰ Deleted "is..."

²¹ Deleted "say..."

²² Deleted "you know... and then they..."

²³ Deleted "Well, yes."

²⁴ Deleted "in any case."

²⁵ Deleted "is..."

²⁶ Deleted "if he would deny..."

²⁷ Deleted "but if he would..."

²⁸ Deleted "anyone might come and say..."

²⁹ Deleted "so."

³⁰ Deleted "but all right, let us forget, let us then say."

³¹ Deleted "this cannot be answered."

³² Deleted "by making..."

³³ Deleted "if someone..."

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- 34 Deleted "the general...."
- 35 Deleted "cannot...."
- 36 Deleted "of a league of nations...."
- 37 Deleted "I mean, if it..."
- 38 Deleted "then it would not be a league of nations."
- 39 Deleted "in...."
- 40 Deleted "he."
- 41 Deleted "and as merely a means. I...."
- 42 Deleted "I'm not...."
- 43 Deleted "I mean...."
- 44 Deleted "this...."
- 45 Deleted "What...."
- 46 Deleted "the."
- 47 Deleted "that...and...."
- 48 Deleted "there is...."
- 49 Deleted "I mean, there may be something... I...."
- 50 Deleted "Does he have the original editions with the paragraphs? **Student:** No."
- 51 Deleted "—do you remember that?"
- 52 Deleted "taken up since...."
- 53 Deleted "the basis is that."
- 54 Deleted "required of...."
- 55 Deleted "is this freedom."
- 56 Changed from "simply want...may want."
- 57 Deleted "actual morality."
- 58 Deleted "practically impossible to become moral."
- 59 Deleted "there is...."
- 60 Deleted "because."
- 61 Deleted "every time...."
- 62 Deleted "of course, the ability...."
- 63 Deleted "that...that...."
- 64 Deleted "I tried...."
- 65 Deleted "Aristotle, of course, says...."
- 66 Deleted "it is not...."
- 67 Deleted "you know? That does not I mean...."
- 68 Deleted "That is not in any work...."
- 69 Deleted "well if you take...."
- 70 Deleted "let us...."
- 71 Deleted "you do not have to call that...."
- 72 Deleted "which is...."
- 73 Deleted "and not...."
- 74 Deleted "now where do we come in here? You see in the case...."
- 75 Deleted "I mean, that..."
- 76 Deleted "Plato and Aristotle would say although...."
- 77 Changed from "also more important is of course."
- 78 Changed from "all the more important is it becomes."
- 79 Deleted "as I found out...."
- 80 Deleted "it is a very...."
- 81 Deleted "and we are concerned only the"
- 82 Deleted "because."
- 83 Deleted "is not his reasoning."
- 84 Deleted "must be,.. another motive must be involved...that would be."
- 85 Deleted "if it."
- 86 Deleted "Kant was not...."
- 87 Deleted "It is, well...."
- 88 Deleted "establishes...."

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- 89 Deleted "Man is...."
90 Deleted "but."
91 Deleted "but."
92 Deleted "among...."
93 Deleted "for example."
94 Deleted "is it not equally important."
95 Deleted "the inequality."
96 Moved "in his book."
97 Deleted "where the emphasis is...."
98 Deleted "certainly that is not...."
99 Deleted "I note here again."
100 Deleted "by."
101 Deleted "what is... what is that...what...."
102 Deleted "that...."
103 Deleted "quality."
104 Deleted "of."
105 Deleted "then there would be of course...."
106 Deleted "it is...."
107 Deleted "I mean."
108 Deleted "and now, that...."
109 Deleted "this teaching...."
110 Deleted "the old...."
111 Deleted "there is no...."
112 Deleted "that."
113 Changed from "nothing remains which cannot be... no action which cannot be rejected... which can be denied as not."
114 Deleted "that could be...."
115 Deleted "the moral...."
116 Deleted "this part...."
117 Deleted "to say...."
118 Deleted "exist...."
119 Deleted "Wednesday's"

Session 10: April 30, 1958. *Perpetual Peace*

Leo Strauss:—[in progress] to reconsider the subject we have been discussing last time and which¹ somehow broke down in a great difficulty. I will try to present the problem again, but I would like² to ask you for criticisms, and not only for criticisms of what I am going to say, whether it is historically correct or not, but also to keep in mind the state of the discussion in the social sciences today.³ After all, we must not forget for one moment that if we leave this room where we discuss the principles of Kant's political and moral philosophy, we are immediately confronted with a world in which such questions are declared to be either meaningless or certainly not manageable by human reason. And we must never lose sight of this possibility, and see⁴ what we learn from this most important issue, most important from the point of view of our time.

Now I begin with the observation we made when we studied Kant's philosophy of history. The characteristic of this philosophy of history is that Kant is concerned with the philosophy of history but has a certain hesitation regarding its development. And we traced this to the distinction between moral progress and institutional progress. An institutional progress may be reasonably expected, and that is what Kant asserts, but that is not necessarily a moral progress. And since it is moral progress which alone ultimately counts, there remains hesitation.

This difficulty⁵ is also underlying, it seems to me, Kant's philosophy of right or law. This is of a strange ambiguity. When we approach it, at first glance it seems [that] it is based on a right to the pursuit of happiness, and this creates some difficulties because happiness is radically subjective according to Kant. What then is the meaning of the right to the pursuit of happiness? Therefore one wonders whether this philosophy of right is not based on morality as Kant understands it, but this also leads to difficulties.

Now last time we discussed this question: Is it possible to deduce the principle of Kant's legal philosophy from his moral philosophy? And that was controversial. But I would now say what I should have said last time: that it is really, from Kant's point of view, impossible to deduce the principles of his legal philosophy from his moral philosophy. And as for proof I referred to a statement of Kant's which we will discuss next time, which occurs in *Perpetual Peace*, in the latter part: that⁶ the practical solution of the problem of the just society does not require, as people are in the habit of saying, a nation of angels. The just society can be established in a nation of devils, provided these devils have sense, meaning provided they are shrewd calculators. Now if that is so, then the legal philosophy, the study of the just society, cannot be based on morality.

Let me remind you again of the statement of the problem in historical terms, which I tried [to do], and which I think is helpful. Kant's teaching, moral teaching or political teaching, can be described as a synthesis of premodern thought and modern natural right.⁷ Premodern thought I characterize for the present purpose as follows. There is a fundamental distinction between the noble and the just on the one hand, and the useful on the other, whereas modern natural right is based on the premise that the just is derivative from the basic needs of man. The morality which is legitimate is a calculative morality.⁸ We have to be decent for the sake of peace, self-preservation, and so on.

Now in Kant's teaching, this modern natural right teaching as developed by Hobbes, Locke,⁹ and especially Rousseau requires a sacredness which it did not possess before.¹⁰ How is this transformation achieved? Kant as it were asserts that the content of the modern natural right teaching, especially as developed by Rousseau, is in fact the chief content of the moral law in all its majesty. The moral law with all the majesty which this supplies commands us in the first place, and above¹¹ everything else, to respect the rights of man as defined in the modern development.

Now by thus integrating this modern natural right teaching into a strictly moral context, this modern natural right teaching retained the peculiar realism which it claimed to possess. Some of you will know very well what I mean by that, but I will still explain it. The development of this modern natural right from Hobbes on¹² is fundamentally different from the traditional natural law teaching, and the reasoning underlying this modern development was this. The traditional natural law teaching was primarily a teaching regarding man's duties, and now the question is: What should induce men to perform their duties? This was a virtue, as Locke called it, unendowed. You were praised for it by the right kind of people, but there was no endowment. What these men tried to do was to show that there is a necessary coincidence of morality properly understood, narrowly understood, with self-interest. And the crucial step was starting not from duties but from rights. I mean, we do not need a reason for asserting our right to self-preservation. That takes, somehow, care of itself. That is a desire, an urge, a passion, however we may call it, in ourselves very forceful. And¹³ by deducing all the duties and obligations of man from this right to self-preservation or other rights enforced directly by passions, they believed that they were establishing a realistic teaching [by] not appealing to high goals, but to the most massive and the most solid, because so elementary . . . the passions of men.¹⁴

By integrating this modern natural right teaching into this context of a moral law, Kant retains as it were the peculiar realism of this modern doctrine. I mean, it is as little starry-eyed as the teaching of Hobbes and Locke, from this point of view. That he preserves. But on the other hand, what Kant has to do in order to give this natural right teaching a truly moral status it must be divorced from calculation.¹⁵ This Kant achieves by divorcing this¹⁶ modern natural right teaching from purpose. This teaching regarding right is right regardless of what our purpose is, regardless of whether our purpose is diabolical or angelic. I mean, these are of course exaggerations.¹⁷ I refer to Kant's expression "a nation of devils": a nation of men of ill-will. And take at the opposite pole a nation consisting of men of good-will: the rules of right would in no way be affected, and would be as it were equally attractive. A nation of devils who have sense would do it, and a nation of angels who have sense would also do it.¹⁸

I must here refer again to paragraph 44 of the *Metaphysics of Morals*, which we read last time, where Kant says that¹⁹ his whole legal teaching, his whole teaching regarding the state, is valid even if all men were presumed to be perfectly just and men of good will. That is the opposite pole of the devils. But the conclusions are the same, and how is this possible? There must be a meeting ground of the angels and the devils, and that we can easily see. Regardless of whether we are angels or devils in this sense we need external freedom. How can I put into practice my diabolical purposes if I do not have external freedom? On the other hand, how can I put into practice my angelic purposes if I do not have external freedom? Because the moral slave, while

he will be moral, he will of course be prevented from doing quite a few things he ought to do by the fact that he is not free.²⁰ External freedom is neutral to the purpose. External freedom is morally neutral, and therefore²¹ the state, which is derivative from the basic freedom, is also morally neutral, which is perfectly compatible with the fact that for moral men the state is a moral duty, because he needs the state for his moral purposes, whereas the devils need the state for their devilish purposes, i.e. for being free, safe in using that external freedom.

Perhaps we can find a parallel to that in Kant's theoretical philosophy. You remember the old situation. There was developed the mechanistic,²² deterministic science of the seventeenth and eighteenth centuries, and²³ Kant preserved the integrity of this mechanistic, deterministic science in its sphere.²⁴ Cognition proper is limited to cognition in terms of the universal deterministic mechanism.²⁵ But in the case of morality, again, Kant saves this correlative to the modern mechanistic, deterministic, science—namely, the modern natural right doctrine—by saying that the morality is chiefly concerned with rights in the Hobbes, Locke and Rousseauan sense. Kant saves science against Hume by introducing the notion of synthetic judgments *a priori*.²⁶ In a similar way he saves²⁷ modern natural right by the categorical imperative. In other words, the moral skeptic will be refuted by Kant's notion of a purely, strictly moral law or rational law. But the content remains the same as it was in between Hobbes, Locke, and Rousseau.

Let us consider this from another point of view. One can perhaps say that what Kant says about this fundamental character of right, the preservation of equal freedom for all and nothing else,²⁸ describes the minimum requirements of living together. And as confirmation of that I quote to you a key passage from Aristotle's *Politics*, third book, 1280b1 following, which²⁹ applies as much to Kant as it applies to Locke and Rousseau.³⁰ Aristotle discusses here the question of the difference between an alliance and a city:

In an alliance neither of the parties concerns itself to ensure a proper quality of character among the members of the other party. Neither of them seeks to ensure that all who are included within the scope of the treaties shall be free from unrighteousness and from any form of vice. Neither of them goes beyond the aim of preventing its own members from injuring³¹ the members of the other.ⁱ

In other words, in an alliance, Aristotle says, such an alliance prevents them—he is speaking of commercial alliances—³² [from being] killed, murdered, robbed, defrauded, and so on. That is all. They do not care out of what motives these things are done.³³ It is merely a prevention of mutual injury in the strict sense of the term.

But it is a cardinal issue of goodness or virtue, of goodness or badness in the life of the polis, which always engages the attention of any state that concerns itself to secure a system of good laws well-obeyed. The conclusion which clearly follows is that any

ⁱ *Politics* 1280b1-5. Strauss's translation.

polis, which is truly so-called and is not merely one in name must devote itself to the end of encouraging goodness or virtue.ⁱⁱ

The end of the *polis* is the common good in the sense of common effort devoted to goodness, to virtue, and not mere prevention of mutual injustice. Kant takes, just as Locke and Rousseau before him, the narrower view. Now if that is so, if these are really minimum requirements for any cooperation, then there is no question that this freedom implied here belongs to every man equally, for it is deprived of any standard since it is deprived of any purpose.³⁴ And this freedom, as Kant says, cannot coexist with the freedom of others if it is not limited by universal and equal laws with a view to the equal freedom of each and of all. More than that, freedom may not be limited except with a view to making possible the equal freedom of each. Everything else is a trespass.³⁵ All the other points of Kant's doctrine follow from these premises.

Now Kant may be said to have outlined the minimum requirements of any possible human cooperation in isolation from every other consideration. This is absolutely indispensable. One could say [that] this is in a way³⁶ the most important thing any man could do. Does not Kant in fact include in that what is called the second table of the Decalogue? Is this not necessarily implied in the prohibitions against murder, theft, and so on and so on, if you speak of these minimum requirements? And this would also explain the great moral appeal which Kant always had.³⁷ And the interesting point, which distinguishes Kant from the biblical statements, is that Kant gives the same sacredness (we could say) which the Bible gives to the prohibition against murder and so on to the political consequences. From the biblical point of view, slavery is a legitimate institution under certain conditions. The Bible does not forbid slavery in the way in which it forbids murder or theft. Now you remember perhaps the statement more exactly than I do which Lincoln made about the terrible injustice of slavery, when he compared it with acts of defrauding people. Do any of you remember³⁸ the exact phrase of Lincoln? "Defrauding people³⁹ of the fruit of their labor, and robbing them of their—" ⁱⁱⁱ [Class is silent] In other words, Lincoln felt it this way, that slavery is as terrible a crime as murder, robbery, theft, and so on. Now⁴⁰ Kant has a theory for that. From Kant it follows necessarily that because of the fact that he based his whole doctrine on this one right of man, the right of freedom, that the political consequences acquire the same sacredness as the common prohibitions of the second table of the Decalogue.

But there is also of course the following difficulty.⁴¹ By taking his bearings by the minimum requirements of living together, Kant⁴² arrives at a minimum notion of the purpose of civil society. On this level, all men, or almost all men can very easily be equal, as Kant contends they ought to be. Yet very strangely, according to Kant equality is affected adversely by property or non-property. You remember that he makes a distinction between an active and a passive citizen

ⁱⁱ *Politics* 1280b5-9. Strauss's translation.

ⁱⁱⁱ These lines were spoken by Senator Lyman Trumbull, who was quoted extensively by Lincoln in the fourth debate with Stephen A. Douglas at Charleston, IL on September 18, 1858. Trumbull, in speeches in Chicago and in Alton, charged Douglas with having entered into a plot to form a constitution for Kansas and have it put into effect without giving the people of Kansas a chance to vote on it. See the Fourth Lincoln-Douglas debate, *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler, v. 3 (New Brunswick, NJ: Rutgers University Press, 1953), 145ff. Douglas quotes Trumbull's charge that the plot was "the most damnable effrontery that man ever put on to conceal a scheme to defraud and cheat the people out of their rights, and then claim credit for it." See 160, 194.

guided fundamentally by the distinction of property or non-property.⁴³ The question arises: If equality can be adversely affected by difference of property, why not [and] with greater right perhaps, by inequality regarding virtue, as an older view was? So in other words, the purpose of the state is to safeguard the freedom of each under equal laws. Why not other laws?⁴⁴ For example, from Kant's point of view it is a moral duty, but only a moral duty, not a legal duty, to cultivate one's talents.⁴⁵ These South Sea islanders who live in a state of dormancy under banana trees,⁴⁶ if they live under banana trees, they neglect their duty, but it is not a duty which could be enforced by any law. In practical terms, that means that the prince of these people, the chieftain, who has felt a stir in his heart has no right to compel his subjects to get out of that state of dormancy. That would be an interference with their freedom. Nor on the other hand must he prevent them from getting out of it. That is not any government's business. How can Kant permit compulsory education as it is generally admitted? I think he can do it only in a very roundabout way, but not in a straightforward way.⁴⁷

We have seen already in some passages, both in the *Metaphysics of Morals* and in *Theory and Practice*, that Kant condemns any religious establishment as in principle illegal. More precisely, if it is meant as a perpetual establishment it is illegal because it means to freeze the people to a certain stage of their intellectual development.⁴⁸ In other words, this law prevents, as far as in it lies, a higher development of the people.⁴⁹ That the government may not do, but nor on the other hand may the government encourage it, because that goes much beyond the minimum requirement, which is the preservation of freedom strictly defined.

We have read another passage in⁵⁰ *Theory and Practice*, and I must remind you of that, in the criticism of Hobbes. If the supreme power gives laws which are immediately directed toward prosperity—happiness, prosperity of the citizens, population, and so on—then this is only as a means for securing the legal order, i.e., the order meant to guarantee freedom, especially against foreign enemies. So in other words, the prosperity of the people can never be a direct goal of civil society. It must be justified in a roundabout way. For example, you need prosperity so that the state can defend itself; and the state must be defended, otherwise there would be no protection of freedom, which is a consequence for all this kind of early liberalism, I believe it is called—you know, what was called later on the night watchman's state, to identify historically what Kant means. The night watchman's state. And the same, as I said, would apply to the compulsory education. Of course you could easily deduce that from experience or whatever. You must defend your country, and wars are won by the better trained soldiers, [the] better educated soldiers. [In] 1866, or was it⁵¹ [1870], the Germans said, the German schoolmasters, meaning in the grade classes, had won the battle of Sedan because they had compulsory education in Germany at that time, rigorously enforced, and not in France.^{iv} But obviously that is a roundabout way and I think there are more direct reasons why compulsory education is desirable. And here also in the *Metaphysics of Morals*, he says "the right of public finance and police, the latter taking care of public security, convenience, and decency." So why does decency come in, outward decency? "That the same for outward decency as negative cases being not blunted through public begging, noise on streets, stench, a public lust, as violations of the moral sense, makes it easier for the government to rule the people by laws."^v In other words, that this is in

^{iv} The battle of Sedan on September 1, 1870 was the turning point of the Franco-Prussian war, in which Napoleon III was captured along with his army.

^v [6:325]. Strauss's translation.

itself undesirable and a disgrace is not the reason. The only reason is that the sense of right for the legal order . . .

I would like to mention another passage from what we have discussed last time in order to show the difficulty here. Kant discusses there, in the *Metaphysics of Morals*, the legal, moral basis of punishment. And the crucial point which he makes is this: That the criminal is punished not because he has willed the punishment as the strictly contractual doctrine says—if I have not signed on the dotted line, by entering this society I am willing all the punishment which becomes due if I transcend the law [LS raps on the table]—but Kant says no, the reason is because he has willed the crime, not because he has willed [the punishment]. No one can will the punishment, Kant says, but he has willed the crime and the crime is by implication a denial of the principle of right, namely, of equal freedom for all. And then Kant discusses at great length and without undue sentimentality the question of capital punishment, and he strongly favors this. He even⁵² gives some examples where he shows that the more honorable man would prefer capital punishment to imprisonment and so on.

And now he comes to this conclusion. If civil society would dissolve with the consent of all its members—which, by the way, is very hard to see how this could be possible if it is a duty to enter civil society, but Kant is really in a way a loose writer in this book. I gave you that example of the state caring for murdered children last time. For example, if a people inhabiting an island would decide to separate and it is . . . in this case the last murderer who is still in jail must be executed first, so that everyone gets that what his deeds deserve and the blood-guilt not rest on the people which has not insisted on this punishment. So one can see then how this follows with perfect necessity from a serious concern with justice. The fact that these people happen to dissolve their society is no reason why this murderer should go unpunished, and unpunished in the proper form. That is of course true, but if you think for one moment of this nation of shrewd devils who also are supposed to be members of such a society, it is hard to understand. In other words, what is hard to understand is this: how the intrusion of strictly moral considerations into Kant's legal philosophy is possible. When he discusses marriage, for example, and gives this very strange definition of marriage as a contract for the lifelong mutual use of the sexual organs of the other party, then of course he has in mind deliberately the lowest form, you know, so that any higher considerations, like fidelity and so on, should be completely out of consideration, should be . . .⁵³ And he gives in a strictly external definition the minimum requirement of marriage . . . if they have a child and so on. But on the other hand, the reasoning underlying that definition of marriage and its obligatory character is the sense of the dignity of man. Concubinage and so on would be incompatible with the dignity of man, which is a strictly moral consideration and has nothing to do with this minimum requirement of equal freedom of all of which he has spoken.

So I would say that without morality one cannot accept Kant's state, because at least—I mean, from a purely Hobbean-Lockean point of view it is much too moral, and with morality one cannot stay within it because then it is too poor for that purpose. And it seems to me that that is a consequence of the fact that Kant tried to find a formula for right and the state which would be equally acceptable for a consistent non-moral man and for a moral man, consistent . . . and this neutrality apparently is not possible. That may be possible partially and occasionally, but not as a matter of principle. I have not succeeded in my efforts to come beyond this point.

Now this is all I want to say in general. There are a few other remarks we might make on the *Metaphysics of Morals* later. But first I would like to know if there is⁵⁴ any point which you would like to take up.

Student: In Kant's own terms, wouldn't there be a very great tension between the sacredness of freedom and its moral neutrality?

LS: It depends. Coming from morality, sure. One could put it this way.⁵⁵ The highest form of duties from Kant's point of view . . . are those duties with regard to the rights of others. There are duties also, for example, with a view to the happiness of others, that you should be kind and helpful, but that does not have the same strictness as the⁵⁶ natural right that the legal duties have. Also we have duties about yourself . . . for your own perfection⁵⁷ and development, but they also have a less urgent status, a lower status than these duties regarding the rights of others.

Now as a moral man you will take these most seriously . . . But on the other hand,⁵⁸ if you are a devil in this sense but want to be consistent—and there are strong practical reasons for consistency, you know, because chickens come home to roost and this kind of thing. In other words, if you are a shrewd devil, then you would arrive at the same conclusions: these and these things have to be done. I must grant the same right, to drive cars or whatever I want for myself, because otherwise I would become a public enemy in a very short time, and any special privileges which I might get by my own cleverness and shrewdness must be so that they do not in any way interfere with this guiding principle. So if I get rich quick and have therefore much influence, power and so on, but my title is no bigger than that of the poorest beggar, I only was more industrious, perhaps more lucky. These are things for which no sensible man can with reason be blamed, you know. That, I think, is what Kant is trying to do.⁵⁹ It certainly does not work in Kant's case. I have the impression it cannot work under any conditions, because of the strangeness of this abstraction from purpose altogether.

But it also has in a certain region a great plausibility, if you think of what modern people, especially the more generous liberal modern people feel, where the simple sense of moral decency immediately turns into a sense of certain *political* demands.⁶⁰ I do not see or know of any great thinker who has elaborated this position as clearly. Because the common liberal view, which is based on something like British empiricism or a later development of this from Kant, like John Stuart Mill and so, lacks this moral passion, this moral pathos which Kant alone can give. I mean, every utilitarianism is always open to this famous objection made to it that it does not give a reason why I should be concerned with the greatest happiness for the greatest number. The categorical imperative gives such a reason. But these historical effects and advantages or disadvantages of course can never be decisive considerations. One simply has to understand the position in itself. Mr. Burns?

Student: I'm wondering what you make out of these passages in the *Idea for a Universal History*, for instance, when he talks about transforming a society into a moral whole—

LS: Yes, but he also speaks of the automaton.⁶¹ But it is good to be reminded of this problem: look at the philosophy of history. There is a strict parallel. You have here a historical process

which is driven, if one can say a process is driven, by greed, ambition, desire of dominion, all these kinds of things, and people get out of this hell only, Kant says, by virtue of calculation. You know, it is too unpleasant. We must have the police, and later on we must have an international police. That is what Kant says. But at the same time this order, the just society as Kant defines it, and the just international order, are a demand of the moral law.⁶² It is a very strange thing. You can have a pure automaton in which no moral movement of any kind enters, and which brings about a society which however is demanded by morality. And Kant again here is not quite consistent, because he has to admit that sometimes a push given by a public-spirited prince or citizen in the right direction is really needed to get there.⁶³ I think the only explanation is that Kant tried to preserve the apparent benefits of such a strictly calculative utilitarian political morality as developed by these three men, and yet give it a dignity and a sacredness which it did not in itself possess. At the same time⁶⁴ this doctrine lost much of its flexibility in the process, because the sacredness meant also of course inflexibility; and a certain prudential shrewdness which these men have, especially Locke, was lost in the process. The simple proof of that is what Kant says about revolution,⁶⁵ that civil society is established for the sake of protecting this freedom of which every man has a sacred right. Now the tyrant destroys that freedom completely as far as in him lies, and yet under no circumstances is resistance, active resistance, to say nothing of revolution, permitted. Why? Ultimately because freedom requires the sacredness of the legal order. By destroying or tampering with the legal order now established and grossly misused by the tyrant, you make doubtful the principle of the sacredness of the legal order. But why can you not say with equal right that the freedom which the legal order is meant to serve is more sacred than the legal order itself? And other things which we have seen, [and] also these remarkable things regarding peace, which we will discuss later.

There were some other points which we discussed last time. For example, I do not know, Mr. Craw, whether you noticed or whether it is in the edition you used, when Kant discusses the problem of revolution, he takes up this question:⁶⁶ What about⁶⁷ the execution of Louis XVI or, for that matter, of Charles I? Did you read that? That is very interesting. Now Kant says the assassination of a prince is not as horrible a crime as a public execution, because the murder can always be a mere act of passion. It is not a public denial of a legal principle, whereas what the English did in⁶⁸ 1649 and the French in 1792, is a public denial of the most sacred principle. When I read the story of the assassination of the last czar by the Bolsheviks, I always contrasted that with the dignity of the British in 1649, or at least with the attempt at public dignity of the Jacobins in 1792, that they did it openly in front of the world and took the responsibility instead of shooting the czar and his family in a cellar somewhere (where was it? In . . .)^{vi} which seemed to me a gross disproportion between the political significance of the act and the manner in which it was done. But Kant accepts this principle, that revolution is under all conditions the greatest, the most horrible crime, because whereas every other crime may very well go together with an admission of the principle of the legal order, a revolution is the explicit denial of the principle.

I am sure there are more points in what we discussed last time. Do you remember any point of importance which would need discussion?^{vii} There is also a point which is not uninteresting and shows how Kant saw how these things might happen. The discussion of what the National

^{vi} Czar Nicholas II and his family were murdered in July of 1918 in the cellar of the house in which they had been held prisoner in Yekaterinburg, Russia.

^{vii} The class is silent.

Assembly in 1789—that he felt that Louis XVI, by calling together the national Estates, he really had abdicated his sovereignty by this very fact. In other words, what happened in 1789 was in itself, in the first months of the revolution, perfectly legal, but in the moment they tried to do something which was from Kant's point of view absolutely criminal, namely, to punish a former prince for the way in which he had conducted . . .

One cannot completely exclude, by the way, in discussing Kant's doctrine of revolution, that he made some concessions to the situation.⁶⁹ These things were written in 1795, that is to say after the collapse of the French Revolution and the great resurgence of the anti-revolutionary spirit came to the rest of Europe, especially Germany. That one must take into consideration. Yes?

Student: . . . To what extent does he think there is any community prior to the founding of civil society?

LS: Kant was not particularly interested, as I think he makes quite clear, in so-called historical questions. That is clear.⁷⁰ Whereas these historical questions were very important for Rousseau and Locke, they were not important for Kant. For Kant it is a pure *a priori* construction. A civil society is essentially preceded by such a thing as property, meaning the fact that a man can own mine and thine is in itself independent of the existence of civil society. It can only have a provisional character before, of course, because the property is not protected by law. And for the same reason, the marriage as such is as such a prepolitical institution, although it will never reach its full legal status except after it is protected by civil society.

Same student: Are there any aspects of the nation which exist prior to civil society? . . .

LS: You mean if there is any historical evidence of such a thing having existed, or what?

Same student: . . . the nation as an entity, I mean, is a prior . . .

LS: Yes, sure, the whole romantic doctrine is this way, that the nation as the ethnic group is primary and it produces, in a certain stage of development, for its purposes, the state. Just as in the more liberal doctrine you have a similar notion of the relation of society and the state, only in the case of this German romantic doctrine it is the ethnic group and in the liberal doctrine it is society, and not the primary ethnic . . . that is. But as for the existence of such things it is extremely difficult to say.⁷¹ I have been told by a man . . . a very intelligent man, who was in South America and lived with an extremely primitive tribe, and there seem to really be nothing which one could call civil society, because they live together for some time, hunting or whatever they do, and cooperate reasonably for this purpose; but then for one reason or another, they can't . . . permission or maybe just [because] they want to, a part branches off and goes off, and they never see each other again. They smoke—there are customs, of course. And this man told me that . . . They are honest people.⁷² They are hospitable, and part of the hospitality of many such tribes is that one has to offer one's wife to the guests. But he noticed that any views of this offer would not have been liked because the natural passions . . . are not destroyed . . . So it seems it is possible. But the question arises: Would this be a primary stage of human life, or not rather the cave stage? This is impossible to answer empirically because people living under these conditions have no record, naturally. That might be the last glimmer of a once-flourishing

empire, for all we know. So I think empirically it is not answerable whether⁷³ man ever lived prior to civil society. The doctrines of the seventeenth and eighteenth centuries of course assumed for theoretical reasons, and they believed it also on empirical evidence, that men lived in a prepolitical stage. I mean, there is a classical thesis also about this. Plato, in the third book of the *Republic* discusses that, a few herds who survived a deluge on mountains—prepolitical.^{viii} But⁷⁴ I do not know whether one can say, because in many tribes which were destroyed, there were always found the remains of a government and a rudimentary judicial process, not necessarily leading to punishments, but to demands, etc.

Student: . . . I don't quite understand your remark that without morality one cannot really accept Kant's legal order, and with morality one cannot stay within it. Does that mean that the devil would not be able to reconcile himself to living in a perfectly just society as Kant defines it, or that he would not accept Kant's justification of it? Because it seems to me that the logic would appeal to him, that is to say . . . appeal to his self-interest.

LS: ⁷⁵All right, let me explain. Perhaps you elaborate such a doctrine which is really consistent with the point of view of the shrewd devil. Kant then contends he did not do that, and as a proof I gave the example of what he says about marriage. What has a devil to do with considerations of the dignity of man? I mean⁷⁶ concupiscence, and I mean complete promiscuity even, except limited by the strict consideration it must be managed in such a way there will not be constant conflict.⁷⁷ That is of course be a perfectly sound consideration from this point of view. Just as property must be managed in such a way that there will not be constant fights about land and houses, so there must not be constant fighting about women. Sure. Police . . . But where does the dignity of man come in? That it is a morally unbearable situation that two people of different sex who have disgraced themselves, which is more or less how Kant would put it, by having intercourse with each other, and that the only way in which they can restore their self-respect is that they are married—that is not a diabolical reason but a moral reason.⁷⁸ But you can say: All right, Kant was not always consistent, and then let us re-write this *Metaphysics of Morals* and let us make it strictly . . . Perhaps it can be done, but I do not believe that this was due entirely to slips on his part. It also has [something] to do⁷⁹ with a real, serious problem. For example, think of what he says about . . . public education as concerned with public propriety and decency. There the moral considerations enter already. That was a very great problem all over Europe, but I believe the seat of that was Germany. Since the late seventeenth century an effort was made to get a hard and fast line separating the law from morality. I mean, the notion that not every moral requirement can be legally enforced was of course always known, but people did not try to draw a hard and fast line, because the line had to be drawn differently under different circumstances—

[change of tape]

—but there are limits. For example, if a man is really about to die of hunger, and your place is the only one in the neighborhood in which he can get some food, many people say [that] in such a case you can take it away by force.⁸⁰ [LS taps on table for emphasis] Most states have some means for taking care of people who are poor not by their own fault. Where to draw the decisive line? That depends on the circumstances. One can say in general [that] somewhere there will be a line. I mean, there will be duties of kindness which by their nature cannot be enforced—think of

^{viii} Plato, *Laws* 676ff.

a man who is incapable of feeling gratitude . . . it is impossible to make a law. In the moment that gratitude becomes a legal duty it ceases to be gratitude. So there are limits; there are limits at both ends, but where to draw the line between is really hard to say.

The rationalists of the late seventeenth century—the most well known is a man named Thomasius,^{ix} you may recognize his name—they began with that, and then there were some men in the nineteenth century who really did draw the line up to that point, some people said Kant and others said Fichte. But this was in a way the practical interest underlying that. In other words, the distinction needed to be made, but this very rigorous rationalist tried to draw a very clear and unambiguous line. The question is whether this can be done, whether that is not necessarily a matter of judgment and of circumstances, how the line is to be drawn . . . How far does this answer to your original question?

Same Student: I guess the⁸¹ initial grounds of the appeal in terms of the principle of freedom without interfering with anyone else to the extent that you get to drawing consequence—of course you can justify the welfare state—

LS: Yes, that is very hard. I know the only Kantian, at least in Germany, aside from Paton in England,^x is Ebbinghaus,⁸² and he tried to show that given a certain state of economy, different from that of Kant's time—for example, monopoly or cartels *would* reduce the freedom of individuals to zero or almost zero without law establishing that, but simply [as] a consequence of the economic arrangement. Then it is the duty of the state to restore the balance by restricting the freedom of monarchs, and he went so far as to state that a partly planned state is absolutely defensible from Kant's point of view. But surely you have the legal right, Kant says. But then this question becomes absolutely a prudential question.⁸³ No one can foresee whether under the certain conditions, once you admit the principle of a partly planned society, this must not be transformed into a completely planned society.⁸⁴ I would say, without going into the niceties of economics, [that] it is impossible to decide on the very general grounds of Kant. I think that the moment one makes these concessions, compelled by the state of affairs, for example, that's now in Germany, then one admits again that the line which Kant tried to draw⁸⁵ cannot be drawn. The moral [LS writes on the blackboard]—well, if we call this moral, that part which is not as such must not necessarily be enforced by law. Let me put it that way. And this is the legal [pointing to blackboard] which is also morally required and can at the same time be enforced by law. That is Kant's point.

Now the question which I have in mind is this: Can this line be drawn in a universally valid way? That is what Kant argues. That is I think impossible. And therefore Kant gives too much or too little to morality by that. As I say, he must construe the right of civil society to the demand for compulsory education as required for something for which it is not really so obviously required. Or if you take what he says about public decency, that this must be meant as a kind of training of

^{ix} Christian Thomasius (b. 1655), a German jurist and philosopher influenced by Grotius and Pufendorf's natural law teachings, and who taught that the state should involve itself in legal matters only, and abstain from the moral sphere.

^x H. J. Paton, Professor of moral philosophy at Oxford in the mid-twentieth century and author of such works on Kant as *Kant's Metaphysic of Experience* (1936) and *The Good Will: A Study in the Coherence Theory of Goodness* (1927).

the people in obedience to the law, which is not what the legislator really means. There are also the difficulties to which the so-called night watchman state is exposed. I mean, I have nothing against a state as practically proposed under given conditions, that is not the point, but whether it really gives us full clarity about what civil society essentially is. And Kant apparently draws his notion of civil society from this particular thing which has under certain conditions very great advantages, but advantages which however do not have the character of sacred rights but of sound rules of conduct. You know there is a difference. We discussed the example of the freedom of speech . . . in other words, the freedom to say anything which does not create an immediate panic or heart attack. That is a sound rule of thumb because of the distributability of the standard. And we cannot get along without standards, by all means, but there may be a difference in which other countries . . . and a certain inflexibility follows from Kant's doctrine which is very appealing to many people, not only in Germany . . . and yet which is not science.

Student: . . .

LS: That is only a dictatorship of the proletariat as a provisional measure.

Same student: . . .

LS: . . . No, the Marxist notion⁸⁶ somehow stems from Kant but in a complicated way, and one crucial step of course is Hegel. For Hegel the problem of the difference between legality and morality ceases to be important, not because Hegel was not concerned with morality as some people say, but because he felt—one could state it perhaps as follows: Morality is something which is of course never universal but which always exists, and there is no moral progress proper. There are always conscientious people in all kinds of societies who do the things which the ideas of their society require in a selfless manner. That always exists, and they are the salt of every society. But there are different societies and societies in different stages of reasonableness, and what you have in the final state—and Hegel thought that was the constitutional monarchy of the early nineteenth century—that is, in this case morality also has this conscientiousness, it also has the proper object, the perfectly proper object. You now do conscientiously the right thing, whereas formerly people did conscientiously things of questionable right. For example, a decent Spartan was of course as decent as any man could ever be but he did unconscientiously very questionable things in his treating the slaves, and the helots, and so on and so on. Now in the nineteenth century, after the French Revolution, there is no longer a necessity for anyone to do conscientiously the wrong things because there is now in existence a rational society.

Marx takes this over of course with one crucial point, a very crucial point. In the first place, he says that this state of 1820 or whatever it was, with its Adam Smithian laissez-faire economy, is so crude and unjust (as Hegel himself had admitted) that this cannot be the rational society. That is number one. And number two, he said (and in this respect he follows another pupil of Kant, namely, Fichte) that the true solution of the moral problem consists in (to use a word now already common) self-realization, in such a way that the sensual part of man comes into perfect harmony with the rational part, with reason. And that means that morality consists in a conquest of nature, a conquest of nature which cannot be limited to the conquest of man's sensual nature but must also mean the conquest of nature as a whole.

Now if this process is according to Fichte an infinite process—which, if it were thought to be completed would make absolutely unnecessary (because of the perfect rationality acquired) any coercive society. So Fichte, in other words, has this notion of a classless, stateless society of men who have become perfectly rational and therefore⁸⁷ their whole activity will be rational self-determination and self-realization.⁸⁸ But that was an infinite process which could never be achieved within history. Marx, following Hegel, says an infinite process as such is absurd; it must⁸⁹ have an end, and the end is the communist society in which these conditions will be fulfilled.⁹⁰

Student: . . .

LS: No, man is the master of nature, and the economic apparatus and all this kind of thing can now be easily controlled by man. This will be the activity of the community as a whole and take up only a small part of the time of everyone, and the other parts will be devoted to other activities of a higher kind. That is I think what Marx meant. And that comes somehow, as Marx knew,⁹¹ from German idealism but with considerable modification, of course.

Same student: . . .

LS: Yes, but that is I believe a somewhat watered-down version of what Marx meant.⁹² I mean, the significance which this change has, the socialization of the means of production, is unmistakably there,⁹³ [and] this means *the* final step of the liberation of man.

Well, what shall we do, Mr. Wilson? Do we have time to hear your paper?

Student: It's up to you.

LS: Do you think I have such dictatorial powers? [Laughter]⁹⁴ Let us not only listen to authority but to reason as well. [Laughter] Will we have time for discussion? That's the question,⁹⁵ because we will have forgotten all these things. How long will it take? About twenty minutes? All right then.^{xi}

[Mr. Wilson reads his paper. The reading was not recorded.]

LS: Let us see. First, one point, where I am not sure whether you understood Kant properly regarding the reservations in peace treaties.⁹⁶ How did you understand that?

Mr. Wilson: In his first preliminary article, that no treaty of peace shall be held valid in which there is tacitly reserved matter for a future war, he points out that states may be driven to the point of mutual exhaustion and make a treaty which contains such a tacit reservation in regard to certain old claims which could be elaborated later at a future time, but he holds that such a treaty is made in bad faith and therefore it is not really a treaty of peace but merely an armistice.

^{xi} Mr. Wilson reads his paper. The reading was not recorded. Mr. Wilson is James Q. Wilson (1931-2012), who became a well-known political scientist.

LS: In other words, Kant is speaking of tacit reservations? That is clear. And of course it makes absolute sense. I only wanted to make sure you saw that it was not a matter of explicit clauses—

Mr. Wilson: No, no, people acting in bad faith holding something back—

LS: Yes, like giving up a certain province? Like giving up a piece territory because they cannot go on any more, but like the French after 1870, and then—

Mr. Wilson: —hoping to get it back.

LS: Yes, and then the question of course arises,⁹⁷ if one takes the situation in which⁹⁸ [the territory] was a part of the country always belonging to that country, and the others came under foreign dominion, can one blame these people? One must not always discuss matters of international law under the premise of the hydrogen bomb and its implications.

Mr. Wilson: I agree with the motive of people in making these reservations.

LS: Yes, sometimes it is perfectly legitimate.

Mr. Wilson: I imply—I assume that Kant criticizes that.

LS: No, I saw that, I only wanted to make sure that your specifically tacit reservations were meant. You brought up another point regarding Kant's hopes from republican governments. Kant's premise is that republics are more peaceful than kingships, because in a kingship the man who makes the decision does not have to do the fighting, and mostly not even his family; whereas if the people decide who have to do the fighting, they will avoid wars. And you question that. But I agree with your question, but let us be clear. What would a defender of this opinion say? Just as the defenders of free trade say—⁹⁹ those people who say that¹⁰⁰ free trade has never been given a chance, did we ever have, all over the globe, republican government?

Mr. Wilson: No, I hadn't assumed that was Kant's argument. I thought he said that in any given state, a republican form of government would be more likely to preserve peace even though it was confronted with autocratic government. I didn't realize he was assuming that if all governments were republican—

LS: No, that what Kant says is not defensible I would agree with you, but let us state it better than Kant himself did, as some people have done. They say that just¹⁰¹ as the value of free trade has never been given a fair chance because there were always tariffs, protection, and this kind of thing, one could say that republicanism in this sense has never been given a fair chance.¹⁰² Think of prior to the First World War. Obviously there was no republicanism to speak of, only in this country. But then at the [time of the] First World War, there were at least three big military monarchies in the world:¹⁰³ Russia, Germany, and Austria-Hungary. That there was a very strong war party in France is undeniable,¹⁰⁴ but the relative power of the war parties was surely greater in Germany, Austria, and Russia. Now how was the situation at the Second World War? The Second World War was clearly staged by non-republican regimes:¹⁰⁵ Germany and Japan. And

so there may be something to that. But let us also look at the other side of the picture. Did you ever read Walter Lippmann's *Public Philosophy*?^{xii}

Mr. Wilson: Yes.

LS: Now what is his argument?

Mr. Wilson: That the¹⁰⁶ public opinion has often been wrong in its assessment of the necessities of statecraft.

LS: No, as it applies to our problem, peace.

Mr. Wilson: I'm afraid I don't recall.

LS: Well, if I remember well, Lippmann makes the point that an intelligent diplomacy, which includes of course also intelligent peace treaties, has become much more difficult since the emergence of democracy than it was before.¹⁰⁷ Think, for example, of Lloyd George's great drive . . . which made impossible a sane arrangement at Versailles, and of Clemenceau too, of course.^{xiii 108} I mean, if that had still been a matter for a small group of poised and sober people acting on the basis of the long experience of the different European states with one another, a much more intelligent—for example, I am absolutely sure that this famous clause of the Versailles treaty regarding the guilt of Germany would never have come up. And this was one of the real causes,¹⁰⁹ the deepest causes, of German resentment, more than the territorial losses because it was really an untrue statement to say that Germany alone was responsible for the outbreak of the First World War. And Clemenceau just put it through, and with the approval of large masses of the patriotically-excited public in the western countries who had undergone this terrific suffering too.¹¹⁰ You know it is complicated, but I think one could say that while to some extent certainly—no, we have to consider something else. We have a certain history of republics of the past. What about the situation in antiquity? What about the situation then?

Mr. Wilson: I'm afraid I'm no classical scholar.

LS: It was a well-known fact that there were as many wars decided enthusiastically by the assembled people as decided in the cabinets of princes. I mean, there were not these particular reasons¹¹¹ of feudal etiquette, as it were, which played a certain role in the feudal and early modern period, but there were other silly things which were the causes of wars. But on the other hand, one could say that¹¹² a great concern with [the] convenience of life and with the rising standard of living, and all this kind of thing which did not play any role in classical republics, of course increased the love of peace in modern times. But all these things are considerations of a prudential nature, you know, weighing of various elements in the situation and not justifying anything like Kant's apodictic assertion that republics are as such more peaceful. Why should

^{xii} Walter Lippmann (b. 1889), influential American public intellectual and advisor to President Wilson. It is unclear whether Strauss is referring to Lippmann's influential work *Public Opinion* (1922), or a later work, *Essays in the Public Philosophy* (1955).

^{xiii} David Lloyd George (b. 1863) and Georges Clemenceau (b. 1841) represented Britain and France respectively at the Versailles talks at the conclusion of the First World War.

that be? Because¹¹³ if the republican regime is more legitimate than the despotic regime, as Kant claims, that does not necessarily mean that it is more peaceful or better. That was one point I thought I should mention.¹¹⁴

Of course, there is another thought behind that, this Kantian notion has a prehistory.¹¹⁵ You can say this: republics are peaceful, and that means the people are peaceful and the kings are warlike. More generally stated: people are good, the nobility or the court is wicked. This played a very great role, this formula: *Le peuple est bon*, the people are good.^{xiv} This played a tremendous role from Rousseau on up to, well, for example, Dostoyevsky and Tolstoy, where they describe the simple Russian people¹¹⁶ in contrast to the upper classes. Now this goes back to an old story, [and] in Machiavelli that is developed: the cause of the people is morally superior to the cause of the great because the people want very little. They want to have their little property, and their lives of course, their liberty, and the honor of their women. That is all. They do not want to lord it over others, whereas the upper classes want to lord it over others [and] therefore they are aggressive and vicious. Machiavelli of course understood this in a very practical sense, namely, they cannot afford more; that was the maximum they could reasonably hope for. It isn't that they were morally better. But under the influence of Rousseau, that switched over into the notion [that] they are morally better.¹¹⁷ If you take the Marxist thesis, though, the Marxist would never say the proletariat is morally better, but we have still the same structure. For some reason or other, the cause of justice coincides with the cause of the proletariat . . .

And then of course there is this other problem. What about the feasibility in the foreseeable future of perpetual peace, according to Kant?

Mr. Wilson: As I understood him, he was not optimistic about the feasibility. At least he gave us no grounds for optimism.

LS: Yes.¹¹⁸ Kant regarded it as impossible in finite time. It is an ideal goal, not more. But this alone, I believe, is fatal to the project because¹¹⁹ if it is an infinite goal, that means there is perpetual war as much as perpetual peace. Even more so. Then how can a responsible statesman act on this vague possibility which will never become an actuality¹²⁰ at any time he is statesman? He would be irresponsible.

Mr. Wilson: This is true, and I think Kant's prescriptions would suggest that if his rules were followed, the scope and destructiveness of war might well be increased if the statesmen had attempted to fix their minds on the goal of perpetual peace. They would form alliances which would allegedly be the nucleus of a league of nations, and this could easily generate hostilities and competitive anxieties which would create rather than diminish the number of wars.

LS: Yes, but I think such a thing like perpetual peace, which would mean a complete change of the character of politics¹²¹—the completeness of the change is incompatible with the gradualness of the process.¹²² The qualitative change from a policy directed towards perpetual peace from an

^{xiv} “*Toute institution qui ne suppose pas que le peuple est bon, et le magistrat corruptible, est vicieuse.*” Attributed to Robespierre, the idea contained here had a lasting impact not only during the Revolution but also on later anarchist thought.

ordinary policy simply contradicts the gradualness of the process. In the meantime, the good people would be at a constant disadvantage compared with the wicked ones. Yes?

This question regarding the forms of government to which you referred: now what precisely does this mean and how is it related to the classical notion of the regime?

Mr. Wilson: As I understood Kant and his description of the republican state which he felt to be desirable, he said that the mode of government is incomparably more important than the form of sovereignty, and by the mode of government he apparently means whether it is republican or despotic, and by republican he means whether the executive and legislative powers are separated. And it seems to me that if this is the most important thing then it ignores the question of the substantive policies the regime pursues. The substantive policies seem to me more important.

LS: Yes, one could say it is much more general and formal than the classical notion. The most important thing for Kant is the form of the regime, as he calls it, *forma regiminis*, the form of the government as distinguished from the form of the empire, *forma imperii*. Now the latter is only one man, a few, or all: autocracy, aristocracy, or democracy. That is less interesting. The interesting and important point is whether the form of the government, the form of the regime, is republican or despotic.¹²³ I mean, the interesting thing is that Kant preserves in a way the classical notions: the crucial consideration is the form of the regime,¹²⁴ because that is decisive for the *spirit* of the society.

Mr. Wilson: I don't follow that argument in Kant.

LS: Well, look it up and let us read this section.¹²⁵

Reader:

In order not to confuse the republican constitution with the democratic (as is commonly done) the following should be noted. The forms of a state (*civitas*) can be divided either according to the persons who possess the sovereign power or according to the mode of administration exercised over the people by the chief, whoever he may be. The first is properly called the form of sovereignty . . .^{xv} and there are only three possible forms of it: autocracy, in which one, aristocracy, in which some associated together, or democracy, in which all those who constitute society, possess sovereign power. They may be characterized, respectively, as the power of the monarch, of the nobility, or of the people. The second division is that by the form of government . . .^{xvi} and is based on the way in which the state makes use of its power; this way is based on the constitution, which is the act of the general will through which the many persons become one nation. In this respect government is either republican or despotic. Republicanism is the political principle of the separation of the executive power (the administration) from the legislative; despotism is that of the autonomous execution by the state of laws which

^{xv} In original: “(*forma imperii*)”

^{xvi} In original: “(*forma regiminis*)”

it itself has decreed. Thus in a despotism the public will is administered by the ruler as his own will. Of the three forms of the state, that of democracy, is properly speaking, necessarily a despotism, because it establishes an executive power in which “all” decide for or even against one who does not agree; that is, “all,” who are not quite all, decide, and this is a contradiction of the general will with itself and with freedom.^{xvii}

LS: The crucial point, much more important than the merely numerical question [of] one, few, or many, is of course the question of how the state makes use of its full power; and this question of how the power is used is decided by the distinction between republican and despotic. In this respect, I would say [that] the only important, fundamental difference is the difference between republicanism and despotism, because while this can be expressed to some extent in institutional terms it means at the same time necessarily a radical difference of spirit. Therefore republicanism is the crucial point, and not whether you have an autocratic, or aristocratic, or democratic governor or prince.

Behind this is Rousseau.¹²⁶ Kant reformulates the teaching of the *Social Contract* and makes it a bit more amenable to a large country and with a monarchic head.¹²⁷ The sovereign is necessarily the people, and therefore that is the principle of the republic. The sovereign¹²⁸ [is] the legislator because legislation is higher in rank than execution. So the legislator or the sovereign is necessarily the people, and¹²⁹ such a government is republican regardless of whether it delegates the execution to one man, maybe to one hereditary family, or to a few, or to all.¹³⁰

Now what then is the precise difference from the classical notion? I think one could state it as follows. From this point of view there is one and only one legitimate regime, a regime which is in its root democratic but in its execution non-democratic, meaning¹³¹ [that] the spirit of the execution should be democratic but it should not be in the hands of the people. This is not only the wisest arrangement—for practical purposes it would mean to have a legislative assembly, because Kant doesn’t want to have a direct sovereignty—to have a legislative assembly in total control and then you have, say, a prince as the executor.¹³² Or you may also have a group of people . . . That is from Kant’s point of view not only the most wise arrangement but the only legitimate arrangement. And what this means in practice you can see more clearly from Rousseau, who was much more thorough at this than Kant. And Rousseau drew this conclusion, but he thought of course only of a direct democracy: that wherever you do not have a sovereign or¹³³ legislative body which consists of the citizen body assembled, you do not have laws. The mere[ly] arbitrary commands of a sultan who can be strangled tomorrow with the same right with which he now has someone else strangled—even if that was the correct legal procedure, that this fellow was hanged, it would be as a law given by a sultan who has no right to give a law, it was of course not a legal right. So in other words, only in Geneva are there laws.

Student:¹³⁴ Does Kant make the same statement when he remarks that every form of government which is not representative is properly speaking without form? Could you substitute the word “law” for “form”?

^{xvii} Immanuel Kant, *Perpetual Peace*, in *Critique of Practical Reason and Other Writings in Moral Philosophy*, trans. Lewis White Beck (Chicago: The University of Chicago Press, 1949), 314-315 (parentheses in original). [8:351-352]. Hereafter referred to as “Beck.”

LS: Where is that?

Student: It is at the beginning of the next paragraph after the one we just finished.

LS: Yes, it is an *Unform*, in German. How could you say it? “Non-form?” A “mis-form” or something?

Student: “Formless?”

LS: Yes. It could also mean, like *Ungluck*, “misfortune.” You could also say a “mis-form.”¹³⁵ But what he in fact means is there is no question. What he means is that every form of government which is not representative, because the legislator is in one and the same person¹³⁶ also the executor, is surely illegitimate from Kant’s point of view.¹³⁷ Consider, for example, a monarch like Frederick II, who was surely both the legislator and executor, but he regarded himself as the first servant of the state. That means that he was in fact obeying the true sovereign, which is of course not what Rousseau meant. That is a considerable move on the part of Kant.

The crucial point I would say is this, that the question of the best regime has simply disappeared and is replaced by the question of the only legitimate regime. There is therefore no possibility of a variation, say, given these or those circumstances¹³⁸. That would apply to only purely technical things, administration in the narrow sense of the term. It would no longer be a serious political question.

What is the present-day form of this Kantian thought (because it does not begin with Kant, it begins at least with Rousseau), I mean regarding perpetual peace? In one way Kant’s prediction has become true, although in a way which Kant did not foresee in any way, namely, the emergence of weapons of such a destructive power that it becomes impossible for any sane person to consider war as a sound means of policy. You do not know the other side will be . . . To that extent of course Kant¹³⁹ has understood the overall tendency of this modern society to bring about a state of affairs in which war¹⁴⁰ can be considered as a means of policy only by an insane person. That is what he means. To that extent Kant’s problem is related, yes? But the switch from this state in which war is still possible, is still feasible, to one in which it is absolutely impossible: regarding that we cannot learn anything from Kant, it seems.

There is one more point to which I would like to draw your attention (in case it is in your edition), to this long note to the definitive articles, in the first definitive article.^{xviii} That is very important.¹⁴¹

Reader:

The validity of these inborn rights, which are inalienable and belong necessarily to humanity, is raised to an even higher level by the principle of the juridical relation of man to higher beings, for, if he believes in them, he regards himself by the same principles as a citizen of a super-sensuous world. For in what concerns my freedom, I have no obligation with respect

^{xviii} Here there is an exchange with the student about the location of the passage.

to divine law, which can be acknowledged by my reason alone, except in so far as I could have given my consent to it. Indeed, it is only through the law of freedom of my own reason that I frame a concept of the divine will.

LS: In other words, a divine law proper is absolutely impossible, because I have to assent to it: only by this act can it become obligatory on me. The reason which Kant gives is this: that only by virtue of the *moral* law, the moral law which is in me, can I get any notion of a possible divine will; and therefore God, as it were, has to show cause why I should agree to his law.

Reader:

With regard to the most sublime reason in the world that I can think of with the exception of God (say, the great Aeon), when I do my duty in my post as he does in his, there is no reason, under the law of equality, why obedience to duty should fall only to me and the right to command only to him. The reason why this principle of equality does not pertain to our relation with God (as the principle of freedom does) is that this Being is the only one to which the concept of duty does not apply.^{xix}

LS: You see, you must not underestimate, whatever you think of this kind of problem, what this means.¹⁴² That is one part, as you shall see, of the meaning of Kant's moral philosophy.¹⁴³ Let us state it as follows. The traditional notion¹⁴⁴ of moral philosophy, the Platonic-Aristotelian one, [was] that we must derive morality from an understanding of the nature of man, and that applies especially to justice. What does justice mean? We have to consider man's sociality, the fundamental character of human relations and so on. Yes, that is very well, but it leads to one great difficulty. What about God?¹⁴⁵ Is God subject to the principles of justice? An immensely important question in any theistic age of society. There is one reason, an explicit reason, why Kant wants to divorce moral philosophy from a consideration of the nature of man. The principles of morality must be so as to be applicable to *any* rational being, God included, because¹⁴⁶ if we do not accept that, what will happen? Then we will say [that] rules derivative from human nature cannot be applied to God. And so¹⁴⁷ God's justice is something entirely different from human justice, which means for practical purposes that God can do what he wants. We have no possibility of criticizing him, of judging him, and that means in practical terms¹⁴⁸ [that] if a theologian comes with a certain theological assertion, he has an infinitely better ground for any assertion he can make than we can have, because we admit that the principles of morality of which we speak are derivative from man. And it is a presupposition of the old discussion that God is infinitely different from man. Of course we must speak of God's justice, but that is analogically. It does not have the same meaning as in the case of man. And that was a very great problem.

Now Kant cuts it, the Gordian knot, by his declaration: the moral principles, the true moral principles, are not limited to man; they would apply to any rational being, including God, and of course angels, if there are such, would not have in any way a higher status morally than man. The equality is not merely an intra-human equality, it is also an intra-rational creature equality.

Student: . . .

^{xix} Beck, 313n, parentheses in Beck; [8:350fn]

LS: God is excluded for the reason we gave here, because God is holy, which means there is an essential and necessary coincidence of God's will with the moral will. Therefore¹⁴⁹ God has no duties because¹⁵⁰ his will is intrinsically good. Only such beings can have duties whose wills are not intrinsically good, and that applies only to man.¹⁵¹

In this spirit, Kant gives the following interpretation of the Fall. You see, Kant wrote a brief piece called the *Presumptive Beginning of Human History*,¹⁵² which means it is a rational interpretation of the first chapters of *Genesis*, and things appear there in a very different light. Now¹⁵³ what happens then after the Fall?¹⁵⁴ "So man had entered into an equality with all rational beings, whatever their ranks might be." You see here even God is not excluded. "Namely, as regards his claim to be himself an end, who has to be regarded as such an end by everyone else, and cannot be used by anyone else as a mere means for other purposes."^{xx} In other words, that God can treat us as a potter treats clay, to quote Jeremiah, is absolutely illegal, because we¹⁵⁵ have to be treated as ends in ourselves.^{xxi}

That is,¹⁵⁶ I think,¹⁵⁷ one of the reasons why Kant developed this radical moral philosophy: to have a secure basis against any possible theological objections to the perfect sovereignty of man, because morality itself binds God himself and he knows these principles. There is not a mystery of divine justice. Divine justice in itself is perfectly translucent as all justice. Someone wanted to say something?

Student: I don't see why the traditional notion that morality was derived from human nature¹⁵⁸ clashed with divine justice, because human nature in the traditional sense was not meant as physical nature but was a transcendental nature in the Christian sense. It is in the image of God.

LS: In the *image* of God. That's much later in the tradition. No, let us be precise, and let us think for example of such a discussion as you find at the end of Aristotle's *Ethics*, where Aristotle discusses the relation of man and gods regarding the virtues—or rather, what are the virtues which gods could possibly have? And then the question comes up: Temperance? Could the gods be temperate? This is shocking, the notion that gods should be temperate. He simply means that that is a virtue much below any god. What about justice? It is absurd. The gods cannot have dealings, business dealings, and therefore the question of justice could never arise. Whether this argument is good and exhaustive is not the point. Aristotle regards it as important to say that moral virtues cannot be ascribed in any sense to god or gods. Now the old religions—the Greeks, and certainly the biblical religions, of course—ascribed moral virtues and especially justice to god, and all theologians speak of that. And the crucial question is: What does that mean? What does that mean? For example, if the biblical God punishes¹⁵⁹ up to the fourth generation,¹⁶⁰ one could say from the point of view of human responses, that is unfair. A reasonable legislator will not punish the children, innocent children, for the crimes of their parents. And the theologians will answer: Well, what do you know about divine justice? And that played a tremendous role in all these discussions of the seventeenth and eighteenth centuries. And Kant took the last step—I mean, it had been said before Kant: Let us not talk of justice if we do not know what divine justice means; let us call it divine power or what have you. But Kant took the last step by saying

^{xx} [8:114], Strauss's translation.

^{xxi} Jeremiah 18:5-6

there is no need for any analogy of human justice and divine justice in these kinds of things, where we imply that analogical justice is not what we mean by justice . . . And he cut the Gordian knot by saying that the moral law is not in any way derived [from] nor dependent on nor related to the nature of man, but it is related to rationality as such, and therefore would apply in a univocal way to men, to angels, and to God. That was surely one great motive for Kant's moral philosophy, and we find a trace of that here.

That is a very long question, and I do not see how to enter into it at the moment. It is crucially important regardless of whether one believes in God or not, because the self-understanding of man depends very much on whether man is viewed as necessarily and essentially the highest being that is thinkable, not more. I mean, no scientist would of course say that such a man must be; that is not the question. But the question is on what notion people act. The impossibility of visualizing in action any higher being than man, which we find very frequently today, has something to do with this. Because Kant says [that] even granted that there are such beings, in the decisive respect we are their equals. We are mortal. We are weak . . . but the highest in us is absolutely equal. The pride of man arose by virtue of this. If you take the opposite view, a crude materialistic view—which is of course not very impressive because it denies at the same time the difference¹⁶¹ between men and brutes, so that is not particularly flattering. Kant says there is an absolute gulf between men and brutes, but in such a way that no possible gulf exists above men. Yes? Man has . . . that has infinite practical consequences. Are there any other questions?

[end of tape]

¹ Deleted "the...."

² Deleted "to have."

³ Deleted "I mean."

⁴ Deleted "how...."

⁵ Deleted "turns up...."

⁶ Deleted "the solution of the question...."

⁷ Deleted "now the...."

⁸ Deleted "we need...."

⁹ Deleted "and Rousseau...."

¹⁰ Deleted "and."

¹¹ Deleted "all."

¹² Deleted "which was...was...."

¹³ Deleted "by showing...."

¹⁴ Deleted "now, by...."

¹⁵ Deleted "now, by."

¹⁶ Deleted "natural right...."

¹⁷ Deleted "I mean, Kant did not...."

¹⁸ Deleted "how is...."

¹⁹ Deleted "his whole moral...."

²⁰ Deleted "so we need...."

²¹ Deleted "the state is...."

²² Deleted "science, the"

²³ Deleted "this was...."

²⁴ Deleted "cognition is limited...."

²⁵ Deleted "so... but on the other hand...."

²⁶ Deleted "in the similar...."

²⁷ Deleted "moral...."

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- 28 Deleted "that this."
 29 Deleted "is...."
 30 Deleted "in an alliance, Aristotle says...."
 31 Deleted "the other members of the other...."
 32 Deleted "that people are."
 33 Deleted "that is not...."
 34 Deleted "it cannot coexist...."
 35 Deleted "now."
 36 Deleted "very...."
 37 Deleted "but...."
 38 Changed from "do... does anyone remember of you."
 39 Deleted "of their...."
 40 Deleted "Kant leaves...."
 41 Deleted "Kant's...."
 42 Deleted "makes...."
 43 Deleted "what...."
 44 Deleted "there is"
 45 Deleted "in other words"
 46 Deleted "make...."
 47 Deleted "now in the...."
 48 Deleted "and that...."
 49 Deleted "That is of course... that he may...."
 50 Deleted "I think... where was it? In the."
 51 Deleted "18... no in 70."
 52 Deleted "thinks that it is...."
 53 Deleted "yes, and that is alright."
 54 Deleted "any point where... which...."
 55 Deleted "the only... the mean."
 56 Deleted "right, the legal duties."
 57 Moved "and that sort of thing."
 58 Deleted "if you are concerned...."
 59 Deleted "I believe it does not...."
 60 Deleted "yes? You know, then I...."
 61 Deleted "and don't forget that this philosophy—alright."
 62 Deleted "so in one...."
 63 Deleted "it is... here now."
 64 Deleted "of course it also lost much of its...."
 65 Deleted "you know."
 66 Deleted "which...."
 67 Deleted "the capital... the capital...."
 68 Deleted "1648...49."
 69 Deleted "you know."
 70 Deleted "but, he was interested...."
 71 Deleted "because that... what."
 72 Deleted "on the other hand, they have the duty of...."
 73 Deleted "whether there was...."
 74 Deleted "the trouble is... I mean...."
 75 Deleted "yes no, alright... I meant.."
 76 Deleted "why... what objection...."
 77 Deleted "you know?"
 78 Deleted "and."
 79 Moved "something."
 80 Deleted "You know? And... and then the question is...of a certain...."
 81 Deleted "ambiguity does say... I mean."

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- 82 Changed from "I mean, I know The only Kantian, at least in Germany I know, and in England it is Paton, but in Germany there is only one, Ebbinghouse."
- 83 Deleted "whether in...."
- 84 Deleted "you know?"; moved "that"
- 85 Deleted "is not...."
- 86 Deleted "I think, has of course, I mean...."
- 87 Deleted "can."
- 88 Deleted "now Fichte...."
- 89 Deleted "be."
- 90 Deleted "So, in other words... I mean... it is of course... it is too narrow to say, as you put it, economics will be what did you say? **Same student:** (inaudible)."
- 91 Deleted "it comes."
- 92 Deleted "you know."
- 93 Deleted "that."
- 94 Deleted "there is only...."
- 95 Deleted "you know."
- 96 Deleted "what did you... what...."
- 97 Deleted "could be...."
- 98 Deleted "it."
- 99 Deleted "you know."
- 100 Deleted "were...."
- 101 Deleted "as the faith...."
- 102 Deleted "where did it...."
- 103 Deleted "whatever... I mean."
- 104 Deleted "but I believe that to the extent that it is...."
- 105 Deleted "I mean...."
- 106 Deleted "people."
- 107 Deleted "if you."
- 108 Deleted "and there was...."
- 109 Deleted "of...."
- 110 Deleted "and there is something to...."
- 111 Deleted "you know."
- 112 Deleted "the...."
- 113 Deleted "if they are more... if it...."
- 114 Deleted "and...."
- 115 Changed from "that has a pre-history, this Kantian notion."
- 116 Deleted "you know."
- 117 Deleted "and that of course...well."
- 118 Deleted "let me see if I can find this statement here now... in his... there is... I cannot find it at the moment... there is...."
- 119 Deleted "that means"
- 120 Deleted "in any...."
- 121 Deleted "a complete change... there... there cannot be..."
- 122 Deleted "you know... this is not... there is...."
- 123 Deleted "the spirit of the...."
- 124 Deleted "and that means...."
- 125 Deleted "'Lest one mistakes a republican constitution with a democratic one the following things have to be noted.' Do you have that? Yeah, here it is. Page 13 in this edition."
- 126 Deleted "I mean...."
- 127 Deleted "the only...."
- 128 Deleted "that is to say."
- 129 Deleted "that is...."
- 130 Deleted "but that is...."
- 131 Deleted "not I mean... the spirit...."
- 132 Deleted "that is...."

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- ¹³³ Deleted “legislator....”
- ¹³⁴ Deleted “he makes almost....”
- ¹³⁵ Deleted “yes, no....”
- ¹³⁶ Deleted “both executor.”
- ¹³⁷ Deleted “only Kant is more....”
- ¹³⁸ Changed from “this in this kind of circumstances and that.”
- ¹³⁹ Deleted “has seen... he.”
- ¹⁴⁰ Deleted “can only....”
- ¹⁴¹ Deleted “**Student:** That is on page 11, in the foot-note, in the last paragraph... at the beginning of the last paragraph.”
- ¹⁴² Deleted “that is really....”
- ¹⁴³ Deleted “you see... I....”
- ¹⁴⁴ Deleted “was.”
- ¹⁴⁵ Deleted “must God....”
- ¹⁴⁶ Deleted “if God....”
- ¹⁴⁷ Deleted “God can do....”
- ¹⁴⁸ Deleted “when....”
- ¹⁴⁹ Deleted “God... there is no....”
- ¹⁵⁰ Deleted “he is intrinsically....”
- ¹⁵¹ Deleted “in that....”
- ¹⁵² Deleted “and....”
- ¹⁵³ Deleted “how....”
- ¹⁵⁴ Deleted “man....”
- ¹⁵⁵ Deleted “are....”
- ¹⁵⁶ Deleted “I mean....”
- ¹⁵⁷ Deleted “one element....”
- ¹⁵⁸ Deleted “why do you think it....”
- ¹⁵⁹ Deleted “the fourth....”
- ¹⁶⁰ Deleted “you know.”
- ¹⁶¹ Deleted “of man....”

Session 11: May 5. *Perpetual Peace*

Leo Strauss: There will be some repetition involved, because I am trying time and again to clarify this thing which we have been discussing, namely, what is Kant's work about? And I think we should do that now and then ask Miss Truce to read her paper in the second half of the class.¹

First, I remind you again of Kant's statement, which I referred to already in the beginning of the course: "Rousseau has straightened me out." And that means the supremacy of practical reason and the dethronement of the contemplative idea.² The highest quality of man consists in morality, and morality means from the outset the recognition of the rights of man plus the political consequences of this. So in other words, morality means the modern natural right teaching as developed especially by Rousseau.

Now this doctrine of the rights of man has been developed in a conscious break³ with the classical idea of virtue, and on the basis of self-preservation as its principle. Furthermore, this new doctrine from Hobbes to Rousseau owes its power to that break with the notion of virtue. As Burke puts it, the catechism of the rights of man is easily learned, and what . . . he referred to was this.⁴ A man is much less inclined to perform his duties than to claim his rights, because the one requires a great effort and a great self-denial and the other is very natural to men.⁵

Kant accepts this teaching with an important modification. But⁶ if we look back for one moment to Kant's philosophy of history, we see here that the basic needs, the selfish needs sanctioned by the modern natural right teaching are recognized by Kant as *the* driving force of history. This self-preservation, with its derivatives of avarice and comfortable self-preservation and so on, is *the* power which is the driving force of history, and brings about the just society. Kant⁷ no longer defines the just society, as we have seen, in terms of self-preservation; but self-preservation and all its implications, the passions as they were understood by Hobbes and his successors, is the driving force of history. And that is of some importance. Still, the doctrine as developed prior to Kant lacked the moral character proper, and Kant gives it the moral character while retaining the peculiar "quote realism unquote" of this modern doctrine. Now in order to give this Rousseauian teaching this moral character proper, Kant has to find a foundation which is sanctioned both by morality and non-morality; by morality, otherwise you cannot give it a moral foundation; by non-morality, otherwise we will not get the contact with this Hobbes-Rousseau doctrine. In other words, this doctrine must be equally acceptable to a nation of angels . . . and a nation of devils, Hobbeanly self-preserved.

Now this condition is fulfilled by the state, by what is called the *Rechtstaat*, and Kant is really the originator of that *Rechtstaat* insofar as the whole doctrine is based on right as derivative only from the natural right of freedom.⁸ Freedom and the necessary implication of freedom, namely, restriction of freedom so that it is compatible with the freedom of everyone else under universal laws, is needed both by the angels and by the devils.⁹ Angels now means moral men, because the angels¹⁰ need this freedom for their purposes and on the other hand, the devils need the freedom for their purposes.¹¹ If both are simply prudent they will want the protection of that freedom and that protection is not consistently possible except under law. If the devils have sense, as Kant put it, they must wish the restriction of the freedom of each with a view to the freedom of all under

universal laws. And the same applies to the good men. Hence, the right to freedom is the only native right, not the right to virtue—

[change of tape]

—self-preservation and property and so on is nullified, especially by capital punishment, whereas the right to freedom as Kant understands it is rather confirmed by capital punishment, for the right to freedom as defined by Kant means the right to be subject to equal laws. This right to be subject to equal laws is obviously confirmed if you are electrocuted, obviously, because the right to freedom means necessarily the right to be subject to equal laws, and it is by virtue of your subjection to equal laws that you are punished.

Furthermore, to mention this in passing, the right to freedom guarantees religious freedom, because there is¹² no need whatever to restrict that freedom for the sake of equal laws; and [it] also excludes all hereditary privileges,¹³ as we have seen.

The paradoxical consequence of Kant's new procedure is that we have a morally neutral state as a moral duty, so that the most important duty which man has has to do with the recognition of the rights of man and therefore with a need for entering this society guaranteeing the rights of man; and yet this state in itself is morally neutral insofar as it is perfectly acceptable to the nation of devils. The state cannot be concerned with virtue, because virtue would bring in a principle of restriction of freedom which is not required by the compatibility of the freedom of each with the freedom of everyone else.

I have drawn your attention last time to the fact that any action of the state¹⁴ for the development of man's faculties, such as compulsory education, constitutes a great problem for Kant. And so does an activity of the state directed towards public prosperity as distinguished from the protection of freedom, or outward decency.¹⁵ What the state does for the sake of outward decency, say, in preventing prostitution, or visible prostitution and so on¹⁶ can be defended by Kant only in a roundabout way insofar as this is necessary perhaps to make the citizens more willing to obey the law in general, but not for its own sake. Yet on the other hand, the regulations of Kant's philosophy of the state regarding marriage are obviously based on a moral consideration proper, because it is based on the recognition of the dignity of man as man and not . . . a wholly non-diabolical consideration.

Now the difficulty is this, to summarize this point. The difficulties¹⁷ which become particularly visible as a consequence are, first, the unqualified prohibition of revolution against the most tyrannical government. We have seen these passages. That creates very great difficulties because¹⁸ you are supposed to be under an obligation to obey your government which destroys the freedom for the sake of which government is said to exist, and Kant nevertheless—why does Kant want to have it? Why does Kant want to have the unqualified prohibition against revolution? That is a characteristic argument, characteristic of Kant as well as it was of Hobbes. Well,¹⁹ all right, I will take this up immediately afterwards. And the second point is that the legislative power can only belong to the united will of the people, because only the people united cannot be unjust to anyone. Rousseau's argument. Rousseau's argument is that the general will

cannot be unjust, and it is needless to say that is much too sweeping an assertion to be acceptable, but a certain formalism is characteristic of both difficulties.

Now I would like to bring up a few points which we had mentioned last time in discussing the first half of Kant's *Perpetual Peace*. In the first place there is preliminary article,²⁰ [number 6].

Reader:

These are dishonorable stratagems. For some confidence in the character of the enemy must remain even in the midst of war, as otherwise no peace could be concluded and the hostilities would degenerate into a war of extermination. . . .ⁱ War, however, is only the sad recourse in the state of nature (where there is no tribunal which could judge with the force of law) by which each state asserts its right by violence and in which neither party can be adjudged unjust (for that would presuppose a juridical decision); in lieu of such a decision, the issue of the conflict (as if given by a so-called "judgment of God") decides on which side justice lies. But between states no punitive war . . .ⁱⁱ is conceivable, because there is no relation between them of master and servant.ⁱⁱⁱ

LS: "of superior and inferior."²¹ Yes, that is really a bad translation.^{iv} Okay, now what does Kant say here? No one can be declared an unjust enemy. Why [not]? Because Kant in the same section lays down rules of unjust conduct in war, the use of assassins and so on. Now why is it not possible to say of a given state that uses such schemes that its war is unjust? Let us make this clear. The point is not peculiar to Kant but it is interesting that Kant also asserts that. Do you see? Here is a certain course of actions, clearly declared to be unjust. Why is it not possible to signify the state which uses such practices as unjust? [LS raps the table]

Student: Because the reason Kant has for holding these practices as unjust is simply because they jeopardize the conflict and subsequent dealings, and not because they are intrinsically unjust. There is no standard for judging them as unjust.

LS: No.²² That may be true of other things which are called unjust, that they are called unjust with a view to a certain presupposed purpose, but that does not alter it. If someone commits actions of a certain kind, for example if he tries to cheat, to get more than he deserves, we say he is unjust. Why should the same not apply to states?

I read to you a passage from the *Metaphysics of Morals*. "Who is an unjust enemy. He whose openly declared will reveals a maxim according to which if it were made a universal rule no condition of peace among states would be possible."^v So Kant has here a definition of the unjust

ⁱ In original: (*bellum internecinum*)

ⁱⁱ In original: (*bellum punitivum*)

ⁱⁱⁱ Immanuel Kant, *Critique of Practical Reason and Other Writings in Moral Philosophy*, trans. Lewis White Beck (Chicago: The University of Chicago Press, 1949), 309-310. Parentheses in Beck. [8:346-347]. Hereafter referred to as "Beck."

^{iv} "weil zwischen ihnen kein Verhältniß eines Obern zu einem Untergebenen statt findet."

^v [6:349]. Strauss's translation.

enemy. So even if your point were correct and sufficient, namely, that such actions reveal a maxim which if made into a universal law would make impossible peace, it would mean²³ [that] this state is unjust. Then what is the precise case why a state cannot be declared an unjust enemy? Kant states it in a passage which you read.

Student: Because there is no juridical system between states.

LS: Ah ha. That's it. So in other words, Kant links up the moral judgment and makes it a²⁴ moral judgment [dependent] on the legal problem of who has jurisdiction. What does this imply?²⁵ Kant does not go beyond that, but that was already settled by Hobbes and the tradition from Hobbes.²⁶ What alternative view could one take? Even granted that there is no competent court, is it not possible to form moral judgments without there being a competent court? Don't we do that all the time? We have no power of jurisdiction and no legal consequences can follow from any judgment we make, and yet these judgments are of some importance for guiding ourselves and others. So what is implied here?

Now what was the traditional view, that is, the premodern view? From the pre-Hobbean view, which is partly visible in Grotius's *Right of War and Peace*, there are certain individuals who have by nature the right to pass competent judgment, meaning regardless of the establishment of civil society or not, say, in a state of nature.^{vi} And these are the men, say, the wise men of wisdom and justice; they have a natural right to pass judgment, which right will be qualified and will become obsolete in civil society (that is another matter). But in the nature of things such men's judgment should count, if there is no positive law available.

Now the Hobbean doctrine (and that applies of course to Locke and Rousseau as well) is that this right is denied. There is no one who has²⁷ by nature a higher right to judge than anyone else, and that follows quite naturally if the basic thing is self-preservation, and that means there is no one who is not a party to any conflict. Think of two fellows in the state of nature who have a disagreement. Aristotle would say: Well, one of them may very well be a much wiser man, and he should naturally guide the other fellow [with] natural reason.²⁸ But Hobbes says this wiser man is as much concerned with his interests as the unwise fellow, and therefore he cannot be trusted. Therefore there is no jurisdiction possible until there is established an impartial court of law, i.e., government.

So the principle is then this: since there exists an equal right of²⁹ everyone, all jurisdiction is derivative from the social contract. There cannot be a natural jurisdiction. That is surely the case. But what is the motive behind that? Because I mean one should not be too "quote cynical unquote" and should assume that from time to time there are really human beings who are fair in their judgments, even if their own interests are involved. I do not think that this is a fantastic proposition, but what then is the motive behind this seeming cynicism, or deeper than this seeming cynicism? Well, that is the same difficulty which applies to the classical notion of virtue altogether. What does it mean that the virtuous man shall rule? That sounds very reasonable. But how does it look in practice?³⁰ You have to have some legal provisions. Now how do you do that? Is it so easy to recognize a virtuous man, by FBI people or even by people like the most

^{vi} The Dutch jurist Hugo Grotius (b. 1583) is considered the father of just war theory through his classic work *De Jure Belli ac Pacis* (1625).

intelligent members of the FBI? It is difficult. So people use then some practical substitute for that and that is, for example, old wealth, the presumption being that old wealth supplies the condition on the average most conducive to virtue. In other words, there is the possibility of giving a legal expression to virtue and its requirements [which] is at the bottom of the whole thing. People want a legal certainty, a clear law, with legal certainty with as little room [as possible] left to arbitrariness of judging. That was the reason: the concern with the legal certainty. Aristotle always says, when he speaks of moral decisions in the *Ethics*, that the concrete decision has to be made as a sound man on the spot would judge. Aristotle refuses to judge because he knows that cannot be done if you do not know the circumstances. But that of course means that the wise man, or however you call him, has a great discretionary power. And everyone concerned with legal certainty doesn't want that.

Now the great concern of Hobbes and his successors in the field of human affairs was with legal certainty, just as in their more theoretical concern mathematical certainty, in the field of human affairs [it was with] legalism. And from this point of view Aristotle seemed to be so terribly dangerous because the legal certainty was not given and of course could not be given by the nature of the case.

Now Kant accepts this. Kant, with his concern for absolutely certain *a priori* moral and political philosophy, reinforces this tendency rather than weaken[s] it. That I think is behind this point. And that is the characteristically modern question which you always find since the seventeenth century: Who is going to be the judge? As if Plato and Aristotle had been so naïve not to see that this is a question. But they had answered it: there is no other answer but to say the men who are really competent. Of course it is a great convenience if you have it clearly established by law that this man, [Mr. A], is a judge in these and these matters and Mr. B in other matters. But that does not completely solve the question whether A and B are competent in the non-legal sense of the word.³¹ Competence in the legal sense is assured by proper appointments or elections, or whatever it may be, but that does not give you an answer to the ultimately more important question of the true competence as distinguished from the legal competence.

Now then, another point regarding definitive article number 1,³² note 1. That was this long note of which we read a part last time. The definition of external freedom:³³

Reader:

my external (juridical) freedom, is to be defined as follows: It is a privilege to lend obedience to no external laws except those to which I could have given consent.^{vii}

LS: Yes, that is the point. In other words, external freedom does not consist in being subjected only to *reasonable* laws. Nor does Kant say subjection to laws the making of which I have been able to contribute by my vote, even if the final decision goes against me. That was Rousseau's [point]. Kant takes a middle line between [that and] the classical view, which would have put it as follows. A man is freely subject only to reasonable laws, because then his word and the word of the legislator are identical. On the other hand, one could also take the democratic view of

^{vii} Beck, 312n, parentheses in Beck; [8;350n]

Rousseau: a man is free if he can contribute to the making of this law by his vote because then he has at least the possibility of having the vote on his side the next time.

Now what is the basis of this contention? To repeat: for Kant is it not important that you have the vote. The absolute monarch may very well have given the law but if the law is such so that you could have accepted the law, then it is a just law. Now what is the reasoning of Kant? The legislator, according to him, must be guided by the will of the society as a whole, let us say by the general will, in Rousseau's description. There is no need according to Kant that the legislator be the common people, the citizen body assembled. It is perfectly possible from Kant's point of view that the monarch is the legislator, but the monarch must be guided by what could have been the general will of the community.³⁴ That is a subtle but important difference. Kant does not say that the legislator must be guided by reason, as Plato and Aristotle had said, but by the general will; and yet the general will seems to be a substitute for it. Now why is the general will and not reason taken to be the standard for legitimacy? Now in his writing *Theory and Practice*, [in] the section against Hobbes, he says "a law which determines for all what they might or might not do legally is the act of a public will from which all law proceeds and hence which must be unable to do injustice to anyone."^{viii} The general will owes its respectability to the fact that it is a sacred will. It cannot do injustice to anyone. Why? No other will is capable of that except that of the whole people, since in this case all make a decision about all: hence, everyone about himself. And no one can do injustice to himself. Do you see that? That is of course a Rousseauan thesis, but in Rousseau that was enforced by the fact that everyone was really present, whereas in this case now the monarch is said to be guided by the presumptive will of the people. Do you see that point? Do you see the construction? ³⁵In the case of any law made by the citizen body assembled, the citizen body decides about the citizen body, and the citizen body is of course a friend of the citizen body and will not be inimical to it in the way in which a tyrant might be inimical to it. Therefore no one can be harmed in this respect. But what is the implication of that?

Student: There are no basic disagreements in the city.

LS: Yes, sure. That is one very good point. When Rousseau discusses that, after having established that, he has long chapters in which he says under what conditions can such a general will be effective or really exist. And then he says there must be a reasonable homogeneity of the people. If you have a stable minority—religious, racial, or whatever it may be—there is no guarantee whatever that the majority will be fair to the minority.³⁶ If there is homogeneity so that any law of any significance affects³⁷ [all equally], then there can be no major disagreement. Rousseau, because he is not an *a priori* theorist, goes into these matters. Kant, by virtue of the strict *a priori* character of his doctrine, cannot enter into this.

But the queer thing is this: that these legal fictions, as we might call them, namely, that the citizen body will not do injustice to the citizen body and hence to any particular citizen become sanctified in Kant's doctrine beyond recognition. And I believe that the discredit into which so-called political philosophy has fallen is [made] partly intelligible by the fact that most of these critics in the nineteenth century were confronted³⁸ by the Kantian and similar doctrines.

^{viii} [8:294-295]. Strauss's translation.

Student: In Kant, in contradistinction to Rousseau, there would be a general antagonism among the particular individuals in a civil society, would there not? It would be a rather dangerous thing to have them all repress them all—

LS: To that, I think Kant would respond like this. Think of the man of avarice. Now what are these passions? The antagonism arises from the fact that all have more or less the same passions.³⁹ Think of the famous story of Charles V and Francis I of France. Francis, I think, said, What my brother Charles wants, I too want: Milan. And therefore the fact that they had the same value was the only reason why they had conflict. So in this case, two avaricious men had the same passion, but this passion constitutes the antagonism. Now if this were to be expressed in the form of a law, say, that there should be no provision for poor people, they would fully agree and they would vote for that law although they would like each to have the property of the other man . . . the transformation—that is exactly the trick of Rousseau, that by the transformation of the selfish desires into the form of a law, the selfish desires are disposed of. I always give the simple, primitive example of selfish people [who] do not like to pay taxes—sure, that is their nature—and then they come into the assembly and then there is a question no longer of the expression of their desires but of giving their desires the form of a law. And then it means no longer “I don’t like to pay taxes” but “there ought to be a law that no one should pay taxes,” and then they come to their senses. That is an enlargement, and in many respects a deepening, of the thought, which is what Kant is trying to do. That would not create any difficulties. The difficulty would come out if there are really stable antagonisms of groups, for example, rich and poor. And if they have all the same right it is theoretically possible that the poor would confiscate the wealth of the rich, or if you have a system which favors the rich then the opposite might happen, not exactly of course confiscation, but taxes would be distributed in a way not very acceptable to the poor.⁴⁰ Rousseau goes into these matters, but Kant does not do that and therefore Kant . . .

Now the old notion, [that] the legislator should follow reason in giving his laws, has one great danger from this Rousseauan-Kantian point of view, namely, the legislator might give laws which the people do not like at all and which might be incompatible with their freedom. The legislator might impose high standards of public cleanliness, and of education, and of what have you, which the people do not like at all. Now therefore, in order not to be exposed to the demands of a very moral and/or well-meaning man of reason, you simply say: No, that is not the point to be considered, the people must agree to the laws. But then the question of course arises, the people may be very emotional, and foolish, and unjust and all this kind of thing, and Rousseau’s solution was then this general will doctrine. In a simple formula one could say this: there are two elements which come together in practicable and sound political arrangements. First is intrinsic wisdom, and second is acceptability or consent. The classical doctrine put the emphasis on the wisdom, and it was a secondary matter of strategy as how to get the consent and, if need be, to force consent. The modern doctrine, seeing the great difficulties, especially for freedom, of the primacy of wisdom, said: Let us start from the consent point of view and see how wisdom will fit into that later. That was the Rousseauan doctrine and of course Rousseau, being consistent, said that the general will, in order to be sensible, must be infallible—because if it is not infallible why should we be subject to it? And Rousseau tried⁴¹ to have a construction which would⁴² give the general will the greatest chance of being sensible, but of course there could never be a full guarantee. And that is of course a problem in this form in all democratic societies, [namely], that the certainty of a law having been passed by democratic procedure makes it

binding—however you state this—and morally binding too. And yet [there is] the possibility of this democratic law being very unjust and very foolish. There is no institutional solution to this problem, of course, but for the general understanding of the situation I think one must keep these two opposite starting points in mind.

Student: Wouldn't you distinguish between Rousseau and Kant at all in this matter of mutual individual antagonism to the civil society? It seemed to me that Rousseau was more concerned with creating a moral community, with substituting moral unanimity for individual passions, whereas Kant is more concerned with letting the passions struggle so that men may engage in self-development.

LS: There is perhaps something to that.⁴³ That is also the reason why Rousseau preferred a small society, a city, rather than the large territorial state. Rousseau was greatly concerned with the question of how to create a bond keeping the people together and making them fellow citizens without any strings attached to that.⁴⁴ But on the other hand, could not one say that this is a very serious problem? Is not⁴⁵ [Kant's alternative], where the bond would be self-interest alone and the moral duty alone, and not the other things⁴⁶—I mean, is Rousseau not here more realistic on this point? That is, there must be something in addition to mere calculating self-interest on the one hand, and moral duty on the other. Is there not something in between? And one can loosely say that Rousseau said the real bond is patriotism, which is morally higher than enlightened self-interest but morally lower than pure morality. That is, I think, the issue between the two in this respect.

Now only a few words on definitive article 2. What is the crucial point?⁴⁷ The moral law dictates: reason, from the throne of the highest moral legislative power, condemns war as a legal procedure altogether and makes the state of peace an immediate duty. This state of peace would strictly speaking require a world state. A *civitas gentium*, *Völkerstaat*, which eventually should comprise all nations of the earth. But the peoples do not want that, and what can be done? A negative surrogate has to be introduced, namely, a federation which prevents war, a federation which should ultimately be a universal federation. That is a surrogate. More cannot be expected. But this surrogate implies that all states preserve their autonomy or sovereignty, and therefore this federation can always be terminated at the discretion of each member. The simple conclusion from that, to quote again from the *Metaphysics of Morals*, paragraph 61, is that eternal peace, the last goal of all nations, is an idea which cannot be executed. What would be the best translation of the term *eine unausführbare Idee*? An idea which cannot be realized. An idea which cannot be realized. Yes, but then what is the meaning of this teaching regarding perpetual peace if we have only approximations to perpetual peace—and that means, in other words, that there will always be war? Well, how then can a fundamentally peaceful policy directed towards the abolition of war ever become defensible as a policy of a responsible government? There could be mitigations, all kind of mitigations—some of them have been achieved in the eighteenth century regarding civilian population, and so on. But as we have seen, that depends so much on military technology, which is independent of moral considerations, that the practical meaning must be zero.

The last point, and that is immediately before the last sentence at the end of the definitive articles, the last paragraph. Will you read please?

Reader:⁴⁸

Since the narrower or wider community of peoples of the earth has developed so far that violation of right in one place is felt throughout the world, the idea of a law of world citizenship is no high-flown or exaggerated notion. It is a supplement to the unwritten code of the civil and international law, indispensable for the maintenance of the public human rights and hence also for perpetual peace. One cannot flatter oneself to believing that one can approach this peace except under the condition outlined here.^{ix}

LS: Yes, now that is very remarkable. First we have heard that eternal peace is a dictate of moral reason. Now every dictate of moral reason guarantees itself according to Kant its feasibility: Thou oughtst, hence thou canst. Now here we see that it is not sufficient to refer to the moral law regarding peace. You have to enter into different considerations in order to see that the idea of such a cosmopolitan law is not a fantastic and exaggerated notion of right.⁴⁹ We have to go into empirical considerations; namely, the fact that⁵⁰ there is world trade amounts to that. Is it not strange, then? I mean, should this cosmopolitan law, as a strictly rational law, not be at all in need of any empirical considerations? Do you see the difficulty? Well, it will be taken up more fully I think in the sequel. I ask now Miss Skewes to read her paper.^x

LS: There are a few points which I will mention briefly regarding the passage regarding Pufendorf and Vattel, and so on (Vattel is the name; it is a French name) and the other international lawyers.^{xi51} What Kant means, I believe, is this. (I do not remember now the exact passage.) Kant denies that there is an international law proper, following of course Hobbes, because an international law would mean a law not dependent on a sovereign. There would have to be an international sovereign if there is to be international law. Therefore there cannot be international law proper and these books by Grotius, Vattel, Pufendorf, can be no more than recommendations by private people,⁵² which of course⁵³ lend themselves easily to misuse by unscrupulous Machiavellian politicians. You see, they invade another country and they say, Well, Pufendorf paragraph 155, and Grotius paragraph 217 say that it can be done. That is what I think he means, but that is not very important.

As for the other points which you made, you seem to be particularly attracted by Kant's statements about miracles. Now why does Kant say⁵⁴ that miracles are impossible? [That was not quite clear to me.]

Miss Skewes: It would be self-contradictory to assume that the first cause which has set up the natural mechanism⁵⁵ has not done a good enough job so that it has to interfere occasionally with divine . . .

^{ix} Beck, 322; [8:360]

^x Miss Skewes reads her paper. The reading was not recorded.

^{xi} Samuel von Pufendorf (b. 1632) and Emerich de Vattel (b. 1714) were important natural law thinkers of their day.

LS: Is this a good argument? In other words, it means this: God has created the world; and then his original plan was not good enough at given points and so he had to intervene later, and that would mean a bad job. But is this a good argument? I mean, is this the meaning of miracles in the religious tradition? Perhaps a miracle is *meant* to be⁵⁶ something radically different from the ordinary happenings to draw men's attention to the omnipotence of God. But Kant has another point which is perhaps more important, and that concerns the knowability of miracles. You see, miracles cannot have any effect wished for by God if they are not knowable as miracles.⁵⁷ These, by the way, are old stories, not stemming from Kant. [Now Kant's point is] that miracles are not knowable, because there is an event, an external event, and you will naturally approach it with the question of⁵⁸ why it happened. You seek causes, but the causes for which we are bound to seek are natural causes. In case we do not find a natural cause,⁵⁹ natural reason dictates that we should suspend judgment, because there may be hitherto unknown natural causes.⁶⁰ That played a very great role in these centuries.⁶¹ If it is true that miracles are not knowable, then any wise god—and God is wise—would not use miracles . . .

Now as to your point, which is more immediately relevant to our question [regarding] nature guaranteeing perpetual peace:⁶² How is this compatible with freedom? We are morally obliged to strive for peace, but nature forces us into peace. How is this compatible? You raised this question.

Miss Skewes: We are not obliged morally to work for peace unless we can be given a reasonable indication that it can be achieved or unless it cannot be refuted that it can be achieved.

LS: Yes. Or differently [stated], the guarantee of a natural process leading to peace is not absolute.

Miss Skewes: Kant says we have no certainty or clarity . . .

LS:⁶³ In the nature of things we cannot have it. And therefore there can only be a probability of such a trend but no certainty.⁶⁴ That is connected with the question which you discussed towards the end of your paper, when you spoke of these two types of politics, moral politics versus the Machiavellian.⁶⁵ One argument which Kant makes is this, which should perhaps have been emphasized a bit more: the Machiavellian politician is guided by considerations of prudence in the lowest sense of the word, and the objective, the goal, towards which that prudence works is power. Now how does this prudence work?⁶⁶ What is the character of the working of this kind of prudence? Well, forecasts. Forecasts, predictions. This-and-this measure is likely to lead to this-and-this result, whether favorable or unfavorable.⁶⁷ One part of Kant's argument concerns the quality of such predictions or forecasts. What does Kant say about that?

Miss Skewes: That they can't be absolute because there are so many empirical considerations. Chance for one thing, which might lead to predictions not being true.

LS: In other words, we cannot know the future.⁶⁸ There can only be a probability, which of course in all important questions is much too weak. If we want to have any knowledge relevant for our actions it can only be given by morality. We find a discussion of this subject in a place

somewhat surprising when you think of Kant, namely, in Churchill's *Marlborough*.^{xii} I believe it is in the sixth volume, if I remember well. There Churchill discusses the Peace of Utrecht and raises this question. That was a prudent action at that time but very controversial in England. Now a hundred years later, say, around 1810 or so,⁶⁹ the wisdom of that would have been vindicated completely because the graveness of the French danger was so obvious. But another hundred years later,⁷⁰ when the French danger had faded into insignificance and Germany was the danger, to say nothing of now, the situation was entirely different.⁷¹ Well, you can apply this to any historical act which, if you knew all the consequences, would have been a different act. For example, in 1945 the victory over Nazi Germany seemed to be an undisguised blessing and the policies of men like Neville Chamberlain seemed to be simply foolish, and yet two years later the situation had become so transformed that one said: Well, maybe Chamberlain did not go in the right way about it; but⁷² if there had been a possibility of getting a German-Russian war with the neutrality of [the] West, it would have been infinitely wiser. Churchill knew that of course all the time, but he said you cannot—what was that phrase, “one link in the chain of destiny at one time”?^{xiii73} Churchill foresaw what would happen, you know. The Nazi danger was so pressing that no possibility of any different policy was serious except the mitigations which he suggested regarding the land in the Balkans and so on. After Churchill had then stated this principle he asks: Well, if we cannot be guided by considerations of the unknown future, and being guided by what we now know and now foresee always means that there is a severe limitation on the wisdom of our actions, to what can we appeal? And then he says there remain some principles which we must certainly apply under all conditions. And he said somewhere (I don't know where that was) not inflicting unnecessary sufferings on human beings, the honor of warriors, and fidelity to covenants, these are principles with which one must comply in every situation and there one is safe. Regarding the prudential things no safety exists. That is a confirmation of Kant from an unexpected quarter, because I have no reason to assume that Churchill is a Kantian in any sense.

You also did not emphasize enough, Miss Skewes, one point—when Kant speaks about this philosophy of history and the things which make for conflict and for peace. What about religion in this context? We must take this up later anyway, but still—because that is very important.

Miss Skewes: Religion is in itself a unifying influence as it is practiced, but the vehicles of religion separate peoples.

LS: In other words, the historical religions are divisive. A purely rational religion would be unifying but historical religions are divisive, just as languages are. And what is *the* unifying social force?

Miss Skewes: Commerce.

LS: Commerce, yes. I think Kant is in perfect sympathy with this development of the seventeenth and eighteenth centuries. The influence of religion, i.e., of the historical religions, is

^{xii} Winston Churchill, *Marlborough: His Life and Times*, 4 vols. (London: George G. Harrap and Co., 1933-38).

^{xiii} “Only one link of the chain of destiny can be handled at a time” (delivered in the House of Commons, February 27, 1945).

to be replaced by the influence of commerce. And this commerce of course should go together with a rational religion, i.e., a unifying religion.⁷⁴ [These] are great formulas which have had a tremendous success in all western countries.

Now let us turn⁷⁵ to the first edition of the guarantee of perpetual peace, of eternal peace. Now what is the main point?

Miss Skewes: That nature understood as a mechanism and as God's providence offers certain indications that peace can be established without men's morally willing it.

LS: Yes,⁷⁶ but what is the precise point?⁷⁷ Kant makes it quite clear. The teleology is not theoretically known.⁷⁸ What is theoretically known is only the mechanism of nature.⁷⁹ For theoretical purposes, Kant says, the teleology is extravagant. I mean, there are some traces, but to develop this [in]to a complete teleological doctrine we are not entitled. But if we start from the moral certainty, say, of the demand to pursue perpetual peace, we are entitled on this basis, on the moral basis, to consider the mechanism whether it is not conducive to this morally required end. It is not theoretical knowledge. That is the crucial point which Kant makes everywhere. So in other words, the fact that nature guarantees the feasibility of perpetual peace can only be asserted or seen if we know the moral necessity of perpetual peace.⁸⁰ One must say however that the formulations of Kant are very ambiguous. Sometimes he says that the mechanism of nature makes perpetual peace necessary. And that would of course mean that we can predict it, predict its coming about in the natural course of events, but he also has to qualify that.

Miss Skewes: There is a similar question about the use of the word legal. He sometimes uses it to mean any relationship of law and sometimes the republican constitution is the only relation consistent with the rights of men. At least in the translation.⁸¹

LS: The point is this: nature favors the moral intention, but it does not compel man, so that the freedom remains unimpaired.

Now I think we must read the passage where he speaks about the republican constitution, about the nation of devils, for that is very important.⁸²

Reader:

Now the republican constitution is the only one entirely fitting to the rights of man. But it is the most difficult to establish and even harder to preserve, so that many would say the republic would have to be a nation of angels, because men with their selfish inclinations are not capable of a constitution of such a sublime form. But precisely with these inclinations nature comes to the aid of the general will established on reason, which is revered even though impotent in practiced. Thus it is only a question of good organization of the state (which does lie in man's power), whereby the powers of each selfish inclination are so arranged in opposition that one moderates or destroys the ruinous effect of the other. The consequence for reason is the same as if none of them had existed, and man is forced to be a good citizen even if not a morally good person.

The problem of organizing the state, however hard as it may seem, can be solved even for a race of devils, if only they are intelligent. The problem is: ‘Given a multitude of rational beings requiring universal laws for their preservation, but each of whom is secretly inclined to exempt himself from them, to establish a constitution in such a way that, although their private intentions conflict, they check each other, with the result that their public conduct is the same as if they had had such intentions.’^{xiv}

LS: “such evil intentions.”^{xv} So you see, that makes it perfectly clear: the political problem is an amoral problem although it has moral significance.⁸³

Reader:

A problem like this must be capable of solution; it does not require that we know how to attain the moral improvement of man but only that we should know the mechanism of nature in order to use it on man, organizing the conflict of the hostile intentions present in people in such a way that they must compel themselves to submit to coercive law. Thus a state of peace is established in which laws have force. We can see, even in natural states, which are far from perfectly organized, that in their foreign relations they approach that which the idea of right prescribes. This is so in spite of the fact that the intrinsic element of morality is certainly not the cause of it. (A good constitution is not to be expected from morality, but, conversely, a good moral condition of a people is to be expected only under the good constitution.)^{xvi}

LS: “A good moral training, a good moral education of a people, can only be expected from the good constitution.”^{xvii} Now that is a very important point, because if this is so, if the moral education of the people is something which may contribute to the genuine morality of the people, why should it not be the purpose of civil society to take care of such a moral education? Or as Kant puts it elsewhere, if outward decency⁸⁴ civilizes man—which does not mean to say moralizes, but still creates a preparation for moralization—why should not this external decency⁸⁵ belong to the functions of civil society? That is completely dark in Kant.

Let us read the beginning of the next paragraph, when he speaks about the law of nations.⁸⁶

Reader:

The idea of international law presupposes the separate existence of many independent but neighboring states. Although this condition is itself a state of war (unless a federative union prevents the outbreak of hostilities) this is rationally preferable to the amalgamation of states under one superior power, as this would end in one universal monarchy, and laws always lose

^{xiv} Beck, 327, parentheses in Beck; [8:366]

^{xv} “solche böse Gesinnungen.”

^{xvi} Beck, 237-238, parentheses in Beck; [8:366]

^{xvii} “sondern vielmehr umgekehrt von der letztern allererst die gute moralische Bildung eines Volks zu erwarten ist.”

in vigor what government gains in extent; hence, a soulless despotism falls into anarchy after stifling what seems to be good.^{xviii}

LS:⁸⁷ Here you see again an empirical consideration entering. There is⁸⁸ no *a priori* reason why there should not be a universal state which⁸⁹ by the fact that it is one state would make impossible any war between parts of mankind. But there is of course a very great practical consideration to which Kant refers, namely, the feasibility of such a universal state and whether that is compatible with freedom. This question cannot be settled by *a priori* reasons, and yet it is an important part of Kant's allegedly *a priori* doctrine.⁹⁰

Kant notes in the sequel, as we have mentioned before, that the difference of religions can only be provisional if there is to be perpetual peace; whereas the spirit of commerce, which is such a unifying thing, is not to be provisional, of course. That was the new society which was of course visualized by quite a few people since the seventeenth century. Locke plays a great role there, Montesquieu, and Mandeville, and Adam Smith, and of course Kant himself too.⁹¹ By substituting commerce for religion, one⁹² will lower men's aspirations but make them much more tractable and nice people to each other. That was the idea. And that could be said both by atheists and by theists of course, theists like Kant,⁹³ but it was not compatible with adherence to religion in the traditional sense of the term. One could say a federation of commercial republics united by the religion of reason, that is the concrete proposal; and you see here immediately that this is not an *a priori* proposal, because we have no *a priori* knowledge of the effects of commerce.

In the second edition, the secret article to perpetual peace, I believe that⁹⁴ was written by Kant somewhat tongue-in-cheek. The secret articles are developed because a government cannot possibly reconcile it with its own dignity to admit that the philosophers are important.⁹⁵ It must be a secret article that the philosophers be permitted to contribute their books and articles on perpetual peace.

Same Student: And also the philosophers might find it compromising to their dignity to declare openly that they were the author—according to the first paragraph, at least that was my understanding.

LS: Which one?

Same Student: The first paragraph, second edition.

LS: No, that does not refer to the philosophers. That refers to the governments.⁹⁶ No, the dignity of the philosophers is not involved.⁹⁷ But as you say, they⁹⁸ would wish to write these books anyway. That is that. But here Kant makes this famous remark to which I referred you before: the lawyers, the jurists, look down on the philosophers. You see, in the old organizations there were—

[change of tape]

^{xviii} Beck, 328, parentheses in Beck; [8:367]

—he makes here the point that contrary to the claims made by the jurists, for example,⁹⁹ philosophy and not law is truly the higher thing, and a more delicate thing regarding theology, where he says philosophy is said to be the maid of theology but one does not see whether¹⁰⁰ philosophy carries—how does he translate that?

Same student: “Whether she precedes her mistress with the bridle or follows bearing her train.”^{xix}

LS: Yes.¹⁰¹ In this edition it is in quotes, so it is possible that this formula is older than Kant. I do not know, and it is not of great importance.

Now the appendices are indeed very important.¹⁰² I think we should take up the second appendix now, and the first appendix next time because it is shorter. Now the subject of the appendix is the relation of morals and politics, and Kant contends that they are compatible but with the understanding that politics must be subordinated to morals. And Kant’s general¹⁰³ political formula is “be shrewd like serpents,” and the moral formula is “be without guile,¹⁰⁴ like the doves.” And he contends that these two demands can be reconciled. Now in order to show how this is concretely possible, Kant establishes a principle by which everyone can recognize whether a policy is moral or not, and that principle is the principle of the publicity of the *maxim*—not of the particular measure, that is not the point, but [of] the maxim guiding the measure. Can this be publicly defended or not? If it cannot be publicly defended, it is certainly immoral. If it can be publicly defended, it is not necessarily moral. So¹⁰⁵ publishability of the maxim is a necessary but not sufficient condition. Of course there are quite a few maxims which are not moral from Kant’s point of view but which are publicly defended. Do you know of any examples of maxims which are immoral from Kant’s point of view and yet publicly defensible? It is worthwhile to consider that point. Three^{xx} occur to me immediately. As you must know . . . “My country, right or wrong” is publicly defensible. And yet no one will lose an election or will become unpopular with his society for saying that . . . Or when Stephen Douglas said, in the controversy regarding the slavery in this country, that in a conflict between a negro and a crocodile, one is on the side of the negro, whereas in a conflict between a white and a negro one is on the side of the white; and this is of course generally acceptable everywhere . . .^{xxi} I may not have quoted literally, but you see this—in other words, he feels a community between him[self] and the negro as a human being confronted with non-human beings like crocodiles; but if it is intra-human, if it is a conflict between a group of human beings with another group of human beings, he sides with his own group regarding . . . You probably know other examples of the same kind of statements which can safely be published and would not create any quarrel. But for this reason Kant says that the principle stated is only the necessary, not a sufficient, condition.

But let us also consider it from the other point of view. Kant regards the principle of tolerance as a demand of morality. What about the principle of tolerance in a society based on intolerance? Is it there publicly defensible? I think that depends very much on the circumstances. In other

^{xix} [8:369]

^{xx} Strauss shares only two of the three.

^{xxi} Lincoln claimed that Douglas made this remark many times “in the canvass in Illinois.” Speech at Indianapolis, Indiana, September 19, 1859, *The Collected Works of Abraham Lincoln* (New Brunswick, NJ: Rutgers University Press, 1953), 3: 470.

words, what Kant seems to condemn absolutely is any temporizing. Any temporizing implies non-publishability of the maxim,¹⁰⁶ in any important matters, at any rate. Now Kant gives the following example: the right of rebellion against the tyrant is not publicly defensible; hence it is wrong. Well, what do you say to that? Meaning this: you can never make a law, say, a constitutional law, in which there is a legal provision to the effect that if the government becomes tyrannical the people may resist. Because if there is to be¹⁰⁷ a clear legal provision then there must be legal arrangements for how this can be arranged and then of course the people would be the governor and not any government. That is Kant's point. But no king who is made the governor by the constitution¹⁰⁸ will permit that, will accept the government under any such condition. What do you say to this argument? There is something very strange here.¹⁰⁹ If you look that up in the section on civil law where he speaks of that: "is sedition or rebellion a legitimate means for a people to throw off the oppressive power of a so-called tyrant . . ." What does he say after "tyrant" in your translation?¹¹⁰

Same student: There's a Latin phrase.

LS: Yes, exactly. That is very interesting. He says "a man who is a tyrant¹¹¹ not by his title, but by the exercise." The distinction is this, and that distinction is of course very old: There are two types of tyrants, tyrants who lack a title, meaning the mere usurper;¹¹² and the other is the man who has a title, the legitimate prince, who is tyrannical by the exercise of his power. Now Kant is here limiting the question very interestingly to rebellion¹¹³ against the legitimate ruler ruling tyrannically. Kant¹¹⁴ seems to allow here of rebellion against a usurper. I have never found elsewhere in Kant an allusion to this very important distinction. But what about this point: Is this really true, that it is impossible to maintain in public the principle that tyrannical rule gives the people the right to rebel? And does it necessarily frustrate any possible desire of the people to rebel if these conditions are given?

Student: . . .

LS: No, that is easy because that is simply a part of the law of the country, and the conditions under which this law can be applied, or the manner in which it can be applied, are perfectly provided for by the positive law. The legal order is not for one moment interrupted by an impeachment, whereas a rebellion means of course a suspension of the whole legal order. That is an entirely different proposition. But take Locke's doctrine, for example, that there is a right of the people to rebel, a right which is normally dormant and which will become active only in cases of extreme misgovernment. It is a right which of course does not allow of a clear legal formulation¹¹⁵ and therefore will not be a part of any written constitution or so on. But I do not see a reason why this should not be defended, although of course it would have to be defended judiciously in order not to induce people to make a revolution for every little and transient cause. That is a matter of policy.¹¹⁶

Student: Of course the Declaration of Independence is not a constitution, but it is a public document that states this.

LS: Yes, true.

Student: It is interesting to see the example of this carried further, I believe, in the Soviet constitution of 1936, where there is a provision that any one of the republics can secede from the Soviet Union under a strictly legal, legislative procedure.

LS: That's a different story.¹¹⁷ In a mere federation that is understood; in a mere federation that can be terminated¹¹⁸ according to the discretion of any of the federated members . . .

Student: I was thinking that now, when there seems to be a widespread belief in the doctrine that states as well as people have a right to their own self . . .

LS: Determination?

Same student: . . . preservation, in all cases. Kant's idea is less out of the way as far as ordinary belief is concerned.

LS: No, on the contrary, Kant's doctrine has had a terrific success, I would say. If you think of the famous formula "open covenants, openly arrived at," that is a consequence of Kant . . . radical consequence. Surely it is not surprising. Just as many other parts of Kant's doctrine are very well known today from practice.¹¹⁹ The question is only whether they are unqualifiedly beneficial.

Same student: People could argue on the basis of present day theories that even a tyrannical government has the right to preserve itself since all governments have the right to preserve themselves.

LS: Yes? And where is the difference? Kant does not deny that.

Same student: In a way, if this doctrine becomes popular or becomes widespread, then perhaps what he says is there. In other words, maybe he was looking forward to the time when everybody was sufficiently enlightened so that then these principles would be more or less public thought, that there is no right to overthrow a tyrannical government.

LS: No, I do not see it, because Kant is in this respect consistent. A tyrannical government has the right to preserve itself on moral grounds, ultimately, because some order of civil society is preferable to anarchy. That is the point.

Same student: But the empirical fact would seem to have been altered as a result of the success of Kant's doctrine. That is to say, what Kant says is less publicly defensible—

LS: Today. Oh, I see. How would this affect the thing? How would this affect the overall situation? From Kant's point of view the world has become more moral than it was in the eighteenth century because no right of revolution is sacrificed. I see. That's true. That's Kant's answer. That's moral progress.

Student: . . .

LS: . . . There is the moral obligation to obey the established government regardless of how it is governed. You¹²⁰ are morally obliged not to do certain things which are commanded, immoral things, but rebellion is *the* crime, *the* sin.

Same student: . . .

LS: Yes, but not quite.¹²¹ In a best state, a republic, as Kant calls it—the republic is in a sense morally neutral, but the republic is unqualifiedly morally superior to the monarchy because the principle of freedom and equality is recognized in a republic and it is denied in a non-republic.¹²²

Student: I think that one thing is very curious, that if the revolution is successful apparently the ousted king cannot do anything about it, which—

LS: Yes, sure. You mean that means profiting from injustice. Yes, sure. That is the trouble with this kind of analysis because it cannot be absolutely moral without getting into trouble.

Same student: Well, I think that is why he hasn't mentioned the usurper, because I don't think in his doctrine there is such a thing as a usurper.

LS: Yes, but look at this case: That a fellow, having sufficient armed men, and the others are frightened, simply kills the ruling king or expels him and his family, and becomes the ruler of this community. He has clearly come to power by a legal crime of the first order, and if the adherents of the expelled monarch would rally and get hold of him and execute him—I imagine for high treason and I don't know what—I think Kant could not well object to that. I think he makes here an interesting exception in favor of the legitimate prince.¹²³ Let us assume this fellow has ruled for a generation or so, through his family or whatever, then of course Kant would say no. Then I think Kant would have to use this horrible argument, which however all political men have always used, that time has a political and also therefore a moral meaning, a prescription. I do not see how on the basis of *a priori* reasoning you can establish it, but you need inductive reasoning for stability, and then it is a matter of prudential consideration.¹²⁴ A new revolution is perhaps preferable because this usurper has misgoverned so much, but if this usurper would rule to the satisfaction of everyone for one or two generations, whereas the legitimate family had misgoverned the country, I believe that would be a consideration very important for every political person. But how Kant could build it into his scheme I do not see. That is true. But I found it remarkable that Kant alludes at all to this old distinction. As far as I can see at the moment it is the only place where he does.

There are two more passages we need to discuss.¹²⁵

Reader:

“If a neighboring power becomes formidable by its acquisitions . . .^{xxii} and thus causes anxiety, can one assume because it *can* oppress that it *will*? And does this give a lesser power, in union with others, a right to attack it without having been injured by it?” A state which made known that such was its maxim would produce the feared evil even more certainly and

^{xxii} In original: (*potentia tremenda*)

quickly, for the greater power would steal a march on the smaller. And the alliance of the smaller powers would be only a feeble reed against one who knew how to apply the maxim, *divide et impera*. This maxim of political expediency, if made public, would necessarily defeat its own purpose.^{xxiii}

LS: ¹²⁶ Surely it proves that it is imprudent to utter this maxim, but does it prove the injustice of the maxim? For example, Gomulka¹²⁷ may¹²⁸ wish to be in the position of Tito.^{xxiv} He cannot possibly express this opinion or the maxim on which this opinion is based, but can such a wish on his part be called unjust? It is hard to see.

On the next page Kant gives the final formulation which he regards as universally valid. He proposes another transcendental and affirmative principle of public right, “the formula which would be as follows.” Do you have that?

Reader:

“All maxims which *stand in need* of publicity in order not to fail their end agree with politics and right combined.”

For if they can attain their end only through publicity, they must accord with the public’s universal end, happiness; and the proper task of politics is to promote this, i.e., to make the public satisfied with its condition. If, however, this end is attainable only by means of publicity, i.e., by removing all distrust in the maxims of politics, the latter must conform to the rights of the public, for only in this is the union of the goal of all possible.^{xxv}

LS: Do you see any problem here? Is this a sufficient guarantee of the morality of maxims of public law? If the maxims need publicity in order¹²⁹ to achieve their end? You see there is a different case—let us see what Kant is trying to do. Formerly he said there are maxims which can be published and yet be immoral, namely, if the government is so strong . . . so powerful, they can publish their maxims without any fear, and yet the maxims are immoral. But if the maxims are of such a nature that they must be published—in the case of the gangsters this is merely an act of insolence that they publish their maxims. They could achieve what they want even without publishing them, with force. But what about a maxim which needs publication, publicity, in order to achieve its goal? Are they necessarily moral?

Student: . . .

LS: Yes, sure. Think of the holy war of Islam. It would be absolutely impossible without publicity of the maxim. And from Kant’s point of view that would not guarantee its morality at

^{xxiii} Beck, 343, parentheses and italics in Beck; [8:384]

^{xxiv} Władysław Gomułka (b. 1905) was a prominent member of the communist party of Poland for almost a half century. Josip Broz Tito (b. 1892) led Yugoslavia from 1943-1980. He resisted Soviet influence and was a founder of the non-aligned movement.

^{xxv} Beck, 345, italics in Beck; [8:386]

all. Or think of Hitler's anti-Jewish policy in Germany. It would have been impossible without the publication of the maxim, and it is a question whether that agrees with morality. Certainly not from Kant's point of view, but you see what Kant is driving at. Not this particular formula, [but] some formula of this nature had to be found if there were to be absolute certainty regarding moral knowledge, *a priori* knowledge of what is right and wrong.

Student: Did Kant distinguish between publication . . . something which is printed for the sake of¹³⁰ making people aware of something and one which is published for the sake of convincing people of something?

LS: I think convincing is meant, because he means by maxims.¹³¹ The laws must of course be published in order to become effective; that goes without saying. But Kant speaks here not of the publication of laws or of regulations or orders but of the publications of maxims.

Same student: Does he mean that it is something that the moment I see it I will say it is true?

LS: I can judge of the intentions of the government. And that is exactly what the Nazi government did, and of course it also used force to prevent resistance, but without a considerable appeal to public opinion the whole thing would have been impossible.

Same student: Yes, but even then, as I understand Nazi Germany, it wasn't the first time but the twentieth time that people . . .

LS: Well, there is something to that. Hitler did not—the Nazis did not state that they had the firm intention to prepare another war in order to recover the powers which Germany had lost in the First World War and beyond that. That would have been absolutely impossible to admit¹³² because¹³³ the First World War generation was still too preponderant and the young classes were only growing up.¹³⁴ But as for the policy of abandoning all democratic procedures proper, and especially the anti-Jewish policy, that was open and no one could have any doubt about it. On the contrary, the delusions were rather that people said: Oh, they won't do it, for some reasons. But that they meant to do it was very clear.

But I believe there is no question about the impossibility of Kant's solution to this problem. The interesting question concerns the motive, and the motive, as I say, is to have a formal justice in the case—do you remember the example of the eight year old child who can say with certainty what is right and wrong? Something of this kind, a perfectly evident truth guiding politics, was also required for getting this solution, because if there were no such rules, if there were rules which required prudence for their proper application, the *a priori* doctrine would fall down to that extent.

Student: Perhaps this formula is intended for the use of the moral politician to guide him through the contingencies of empirical politics and not for the use of anyone with the judgment of—

LS: No, [I think] what he says is¹³⁵ that he wants to give a formula which would allow anyone to judge whether given maxims of a politician agree or do not agree with morality.¹³⁶ Go back from

the end, when you have such a formula like Wilson's "Open covenants, openly arrived at."^{xxvi} What does it mean? Such covenants cannot be immoral. I mean, the point is not altogether good, because much of immorality of course consists in one's inability to defend what one is publicly doing. Otherwise immorality consists to a considerable extent in deception, you know? Well, generally speaking, for Kant I think the root of immorality consists in the fact that a man regards himself as an exception. This and this is a law, a moral law, but I make an exception in my case. I want the *others* to be moral. That is generally speaking true of men, but I myself would like to make a minor exception in my favor,¹³⁷ and that of course I can only do stealthily. And therefore deception or concealment is of the essence of immorality to that extent. Now universalize that, and you arrive at this use.

Same student: Yes, but as you suggested, this formula does not save one from prudential considerations or even from Machiavellian considerations. It depends ultimately on success.

LS: No. Kant contends that this allows you to draw a clear line between a Machiavellian and a moral policy. That he contends. A Machiavellian policy which is not publicly defensible,¹³⁸ or more precisely, a Machiavellian policy is not a policy which is in *need* of publicity to be successful. But I give you an example of what Kant means. Within some limits it makes some sense. The policy recommended by Machiavelli in *The Prince* was to liberate Italy from the barbarians. That was publically defensible at least in front of all Italians. I mean, that the Spaniards and French had other opinions about that as occupying powers is another matter, clearly. But what Machiavelli meant of course was this: This goal of liberating Italy must be achieved by hook and by crook, and this might very well mean the extermination of a number of Italian princely houses, and perhaps the destruction of some Italian republics who preferred their autonomy to becoming just parts of an all-Italian state. This Machiavelli did not say, because that was not publicly defensible because at that moment quite a few princes and republics would have said they would prefer having the Spaniards in Naples and the French maybe in Lombardy rather than lose¹³⁹ [their] independence to an Italian monarch. So Machiavelli's policy in this case¹⁴⁰ not only did not need publicity, it was incompatible with publicity if it was to be successful—hence, immoral. That happens sometimes. But the question is [whether] you can have it the other way around, where, if an immoral prince (immoral in Kant's sense) has taken hold of a people as a whole so that the *moral* policy is not publicly defensible, the moral policy would become frustrated by publication. Yes?

Student: Even the moral politician, however, seeking to use this formula, would he not have to engage in prudential calculations, whether or not the universalization—

LS: Yes, sure. Absolutely. That Kant would assert. He has to wait for the opportune moment. Kant admitted this much, sure.¹⁴¹ But I think Kant would say the moral politician can say this: I will not make any constitutional changes unless there is the proper opportunity for that. But you meant to [ask]¹⁴² whether he can say that?¹⁴³ Whether he would not become suspect to everyone else?¹⁴⁴ Look at the policy of Roosevelt in the preparation for the Second World War. If Roosevelt had ever said "I'm sure we must enter that war, but I will prepare America's entry in the war in a way which will be tolerable for the majority of the American people," that would

^{xxvi} See Woodrow Wilson's speech, "Fourteen Points," outlining the terms of negotiating the end of World War I, delivered to the U.S. Congress on January 8, 1918.

have ruined the policy. Sure. And the moral politician would be in a similar situation. He would say: I won't make any revolutions, but if there is an opportunity for it then I will not hesitate to exploit that opportunity. Very well, something of this kind is probably true.

Student: . . .

LS: No, I think the maxim is stated in this form:¹⁴⁵ "Living in a non-democratic, non-republican state, I will never work for the forcible overthrow of a non-republican regime; but if such an overthrow would take place without my effecting it in any way,¹⁴⁶ I will prevent, as far as in me lies, a restoration of the non-republican regime." That is a maxim that cannot be publicly defended, although it is a maxim which Kant himself would state. I think one is very comfortable in saying that.

Student: Is it possible that Kant was really setting over these maxims with a view to the recognition of a universal enlightenment? That would seem to be the only condition which would begin to make practical sense.

LS: I can only say that he certainly presents them as universal. His notion was apparently this: up to now there has been government by cabinets, and government by cabinets meant of course secretive policies. The maxims could never be known. But if we have republican government, which is by its nature public, you know, because the real debates take place not in a cabinet but in public assemblies.¹⁴⁷ You must not forget that this is the same Kant who was sure that republican governments as such, by their nature are inclined to peace, whereas monarchical governments as such, by their nature are inclined to war. If it sounds naïve, I refer you to other naïve utterances of Kant; that is not the only case—in other words, the story of the eight year old child.

Student: Besides, if everyone were enlightened, why would it be necessary for the secret clause in his articles of definitive peace which contradicts the second appendix? It has to be secret.

LS: In other words, a republican government would not regard it as so incompatible with its dignity as a royal government. Yes, sure.¹⁴⁸

[end of session]

¹ Deleted "is this alright? [inaudible]. And now."

² Deleted "the highest thing...."

³ Deleted "with... with the idea...."

⁴ Deleted "there is...."

⁵ Deleted "now this... this teaching...now."

⁶ Deleted "let...."

⁷ Deleted "does."

⁸ Deleted "This is... this...."

⁹ Deleted "the angels have...."

¹⁰ Deleted "cannot... cannot...."

¹¹ Deleted "but."

¹² Deleted "no connection...."

¹³ Deleted "as you...."

-
- 14 Deleted "meant."
- 15 Deleted "outward decency can be...."
- 16 Deleted "it."
- 17 Deleted "is...."
- 18 Deleted "here you obey...."
- 19 Deleted "we...."
- 20 Deleted "number 5. Will you read that please. **Reader:** 'No state shall by force interfere with the constitutions of a government of another state.' **LS:** Yes, but that was... No, I'm sorry, I meant number 6, I made a mistake. In... not the heading but the text, the first part of the text."
- 21 Deleted "**Reader:** Pardon? **LS:** 'of superior and inferior.'"
- 22 Deleted "that... they are...."
- 23 Deleted "alright."
- 24 Moved "dependent."
- 25 Deleted "I mean."
- 26 Deleted "now what is...."
- 27 Deleted "by right...."
- 28 Changed from "without... natural reason [inaudible]."
- 29 Deleted "anyone...."
- 30 Deleted "I mean, you...."
- 31 Deleted "you know? Not... not in the legal sense but...."
- 32 Deleted "note 2... no."
- 33 Deleted "there. Do you have that? **Reader:** Juridicial and, hence, external freedom cannot be defined, as is usual, by the privilege of doing anything one wills so long as he does not injure another, for what is a privilege? It is a possibility of an action—...' **LS:** That we don't need. A little bit later, when he says 'as regards my freedom.'"
- 34 Deleted "in other words he is... the point."
- 36 Deleted "you know."
- 37 Deleted "equally all."
- 38 Deleted "by the such...."
- 39 Deleted "you see therefore this... well."
- 40 Deleted "you know."
- 41 Deleted "to show that...."
- 42 Deleted "make the general will...."
- 43 Deleted "Rousseau was certainly...."
- 44 Deleted "and that is... yes."
- 45 Deleted "the alternative... is not the alternative which Kant has."
- 46 Deleted "you know? Does this not...."
- 47 Deleted "there must be...."
- 48 Deleted "page 23."
- 49 Deleted "we have to take...."
- 50 Moved "now."
- 51 Deleted "yes."
- 52 Deleted "recommendations by private people."
- 53 Deleted "are...."
- 54 Deleted "that didn't become quite clear to me."
- 55 Deleted "is not...."
- 56 Deleted "such a...."
- 57 Moved "now Kant's point is...."
- 58 Deleted "why... how...."
- 59 Deleted "we still...."
- 60 Deleted "that is a kind of... I mean."
- 61 Deleted "and... so... because...."
- 62 Deleted "and."
- 63 Deleted "yes, no."
- 64 Deleted "so there is no... [inaudible]."
- 65 Deleted "what is Kant's...."

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- 66 Deleted "I mean, what are...."
- 67 Deleted "what is this...."
- 68 Deleted "we cannot know."
- 69 Deleted "it would have... I... yes, say a hundred years later it would have appeared...."
- 70 Deleted "when I German...."
- 71 Deleted "and one...."
- 72 Deleted "to...."
- 73 Deleted "you cannot in other words... why...."
- 74 Deleted "that."
- 75 Deleted "to this question...."
- 76 Deleted "but more...."
- 77 Deleted "which."
- 78 Deleted "the teleology is not theoretically known, theoretically known."
- 79 Deleted "in...in...."
- 80 Deleted "now let us see...."
- 81 Deleted "**LS:** Yes. In which passage do you find that? **Same Student:** I cannot find it right now, we would have to waste time... I refered to it... **LS:** Alright, now let us then...."
- 82 Changed from "now, there is... when he speaks about the republican constitution, this passage I think we must read. About the nation of devils. That is very important"; deleted "'the republican constitution is the only one which is perfectly in accordance with the rights of man...' Do you have that? **Reader:** That is at the bottom of page 29, in this Little Library edition."
- 83 Deleted "yes. **Reader:** should I go on? **LS:** [inaudible]."
- 84 Deleted "is...."
- 85 Deleted "be...."
- 86 Changed from "in the next paragraph, when he speaks about law of nations, let us read the beginning of that."
- 87 Deleted "yes, here... that is...yes but."
- 88 Deleted "no reason...."
- 89 Deleted "by its...."
- 90 Deleted "yes and...."
- 91 Deleted "this was... yes."
- 92 Deleted "will make men aspiration... aspirations."
- 93 Deleted "who...."
- 94 Deleted "is somewhat more...."
- 95 Deleted "they have...."
- 96 Deleted "**same student:** but it...oh."
- 97 Changed from "no, the philosophers have no... their dignity is not involved."
- 98 Deleted "would try...."
- 99 Deleted "the... the."
- 100 Deleted "it...."
- 101 Deleted "which is...."
- 102 Deleted "and was have to... [inaudible]."
- 103 Deleted "formula is... the."
- 104 Deleted: "**LS:** What is the translation? Student: Like doves."
- 105 Deleted "publicity...."
- 106 Deleted "and therefore...."
- 107 Deleted "a legal...."
- 108 Changed from "but no government made the government by the constitution, I mean no king."
- 109 Deleted "when...."
- 110 Deleted "**Same student:** Yes, it is on page 48. **LS:** and what does it say after tyrant in your translation?"
- 111 Deleted "by his...."
- 112 Deleted "he is a usurper."
- 113 Deleted "against an usurper...."
- 114 Deleted "does not...."
- 115 Deleted "but...."
- 116 Deleted "but not.. is not a matter which... which... I don't see that."

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- 117 Deleted “because, I mean....[inaudible]”
- 118 Deleted “by....”
- 119 Deleted “because of the....”
- 120 Deleted “may....”
- 121 Deleted “I mean.”
- 122 Deleted “I see... let me... there are two more questions and then we should try and [inaudible].”
- 123 Deleted “which.. whether he can... the question is.”
- 124 Deleted “is.”
- 125 Deleted “when he speaks, in the next paragraph, ‘if a neighboring power has grown to a tremendous size.’ Do you have that? The part... no... a bit later... well if a neighboring power... **Reader: on page 50.**”
- 126 Deleted “yes but... now that is again....”
- 127 Deleted “or however it may be pronounced... Gomulka?”
- 128 Deleted “have certain....”
- 129 Deleted “not to....”
- 130 Deleted “telling people....”
- 131 Changed from “yes but I think it is meant convincing because that he means by maxims.”
- 132 Deleted “this.”
- 133 Deleted “the war generation....”
- 134 Deleted “and also....”
- 135 Deleted “I mean.”
- 136 Moved “I think.”
- 137 Deleted “now.”
- 138 Deleted “it is....”
- 139 Deleted “our.”
- 140 Deleted “was....”
- 141 Deleted “yes.”
- 142 Deleted “say.”
- 143 Deleted “whether it is not ultimately....”
- 144 Deleted “you know.”
- 145 Deleted “Alright, the maxim is: I live....”
- 146 Deleted “I will produce... I will....”
- 147 Deleted “you know, In other....”
- 148 Deleted “so, next time you, Mr. Harrison will read a paper next class, and then we have Mr. Hoppe and Mr. Jones?”

Session 12: May 7, 1958. *Perpetual Peace, Foundations of the Metaphysics of Morals*

Leo Strauss: Now in the first Appendix to *Perpetual Peace* there are two points which should be noted because of their importance. Here we have the discussion of what Kant regards as the fundamental alternatives,¹ the Machiavellian and the moral positions. Now Kant starts from the premise that there is such a thing as morality or honesty, and it must have the right of way over against calculative prudence, because if you understand the meaning of the term then you see that morality or honesty is in its inner meaning something intrinsically good, which cannot be said of calculative prudence.

The argument of Kant consists of two parts, one could say. The first one is this: Calculative prudence—or predicting science, you can say—cannot give us any certain guidance as to what will be profitable, but morality can tell us with certainty what is right. So the only certain guidance can be given² by morality. Kant turns then to what one can call the strong point of the realists, of the Machiavellians. The factual basis of right will always be force. Kant admits that,³ but distinguishes this true premise from a problematic Machiavellian conclusion, namely, that force will never bow to right, or force will never abdicate. The argument is familiar to all of you from Marx. There is no possibility of a peaceful application of the bourgeoisie. To [this] Kant replies as follows⁴. This conclusion is necessary indeed if there is no morality, but if there is morality the conclusion does not follow at all. Kant's point stated in more general terms is that the Machiavellian or empirical politician does not know anything of the possibilities of man. He knows how men ordinarily behave but he is blind to the fact that men need not behave [in] that way, to the possibilities of man. And this we must I think keep in mind for the discussion of Kant's whole moral doctrine, because that distinction is really crucial. A prediction finds its absolute limit in the fact that man *can* act morally, so there is never a certainty in this respect.

I think we turn now to one passage⁵ which will lead us immediately over to the moral teaching of Kant proper.⁶

Reader:

In order to make practical philosophy consistent with itself we must first decide the following question: dealing with the problems of practical reason must we begin from its material principle, the end as the object of free choice, or from its formal principle, which is based merely on freedom in its external relation? From which comes the following law: act so that thou canst will that thy maxim can be a universal law, be the end of thy action what it will. Without doubt, the latter determining principle of action will stand first, for, as a principle of right, it carries unconditional necessity with it, whereas the former is obligatory only if we assume the empirical conditions of the ends set before us, that is to say, that it is an end capable of being practically realized. And if this end, as for example the end of perpetual peace, should also be a duty, this same duty must necessarily have been deduced from the formal principle governing the maxims which guide external action. Now, the first principle is the

principle of the political moralist, the problem of constitutional, international, and cosmopolitan law, are—

LS: The political moralist means the Machiavellian.

Reader:

mere technical problems. The second, to our formal principle on the other hand, as a principle of the moral politician who regards it as a moral problem, differs widely from the other principle in its methods of bringing about perpetual peace, should be desired not only as a material goal but also as a state of things resulting from our recognition of the precepts of duty.ⁱ

LS: Now that is an extremely telescoped statement of Kant's whole moral philosophy and of course also a very crude statement, but let us leave it at that for the time being. No end can be unconditionally obligatory because every end requires a means for actualization, and whether the means are available or not depends on empirical enquiry.⁷ Therefore we cannot take our bearings in morality, which consists of unconditional demands, by any ends. We must take our bearings by a formal principle, Kant says . . . he does not say here material good but physical good.^{ii 8} But that is not very important, because in the sequel he speaks of our physical or moral advantage, treating them simultaneously. So therefore this inexact translation is not very valuable.⁹ What we saw already in Kant's political philosophy, that the principle of right is independent of the purpose for which that freedom is needed, the same applies also to Kant's moral philosophy. Why that is so, why the aim or purpose is given a secondary position, it comes in and it comes in a very important way but in a strictly derivative way: the moral end can be posited¹⁰ on the basis of the formal law. For example, if the end is man, that man can never be used as a mere means, this follows from the formal moral law and is not a presupposition of it. Why Kant proceeded in that way we must try to see.

Student: Is he not forced, though, to formulate the formal law in such a way that it would not involve empirical impossibilities?

LS: That, he declares, is not necessary. I mean, that is taken care of by the nature of reason,¹¹ the formal imperative being a dictate of reason. And reason cannot, it seems, contradict itself, although there is a certain difficulty created by the dialectics . . . We must¹² see how Kant lays a foundation for this formal ethics.

Now I think before we turn to this question, we may do well for a moment to remind ourselves of the way in which Rousseau stated the problem because there is no question that Kant's doctrine¹³ has been developed on the basis of Rousseau.¹⁴ How does Rousseau put the question? It is the doctrine of the general will. Everyone enters society as a selfish being, for the sake of his self-preservation, calculating that if he does not live together with others under law he will not be able to preserve himself. And now the question arises: What is happening to him when he enters society? He enters it under the conditions that he be equal to everyone else and not to be

ⁱ [8:376-377]

ⁱⁱ The Hastie translation reads "material goal." The German is "physisches Gut."

personally dependent on anyone else, but of course that he must be subject to the power of the community which would protect each in his self-preservation. This protection takes place in the form of the execution of equal laws.¹⁵ So everything depends then on the law, because the execution of the law is obviously dependent on the law. The law in such a well-ordered republican society emerges in its intrinsic justice by the generalization of the particular will, as Rousseau calls it, meaning (I have said this many times [but] I must repeat it): I do not want to pay any taxes; I transform that into the form of a bill that no taxes ought to be paid, meaning [that] what is to begin with only my selfish will takes on the form of the will of society, of the will of all, and therefore I have to suffer from the foolishness of my will as much as I may gain from any advantage. The justice of the law is achieved by the generalization of the particular will. Here you see the justice is not defined in any substantive terms, of commutative or distributive justice or anything of this kind. It is defined exclusively in terms of the generality.

Now Rousseau goes one step further, although very clearly only in a single passage of the *Social Contract*, chapter eight if I remember well. “By virtue of civil society man acquires the moral freedom, which alone makes man truly master of himself, for the impulse of mere appetite is slavery, and obedience to the law which one has prescribed to oneself is freedom.”ⁱⁱⁱ Rousseau does not speak here of civil freedom but of moral freedom, but there is an important parallel between the two because ¹⁶the political law, which is voted in a public assembly where everyone has the vote, is of course in a sense also a law which I impose upon myself even if I remain in the minority. And that is what Rousseau means: that in a well-ordered state everyone remains as free as he was heretofore. He does not obey¹⁷ any law to the making of which he has not contributed. In this sense, he obeys only laws which he has imposed on himself. But in a more radical way this is true of any moral law which is a law which man has prescribed to himself, and therefore morality is identical with freedom.

One could say¹⁸ that the same is true of Kant, that the political law (in a republic, of course) is a prefiguration of the moral law. In both cases men obey only laws which they have imposed upon themselves. Morality is *identical* with self-legislation. Identical. So if you do not obey a law which you have not imposed on yourself, you are sub-moral. Not necessarily immoral, but sub-moral. This is¹⁹ a crucial teaching of Rousseau, but [one] not developed by Rousseau in any way, which Kant takes over and to which he gives the basis.

We must now turn to the philosophical writings of Kant proper. We take up now the *Foundations of the Metaphysics of Morals*, because we started from the periphery, from the political consequences of Kant’s teaching; and that is a perfectly legitimate procedure because only in this way one understands much better what the thinker in question is driving at in practical terms. What political, massive practical conclusions follow from this moral teaching? But of course what one misses by this procedure is the understanding of the reasoning of the thinker himself. What drove Kant into the direction of this teaching regarding perpetual peace, and constitutional law and so on, which we have discussed? Up to now we left it at the remark, which is all right as far as it goes, that this tradition had been developed in the seventeenth and eighteenth centuries. Kant took it over, but by taking it over into a different context he finds a new basis for it which it did not have before. But from Kant’s point of view, from the point of view of Kant’s systematic exposition, it is of course different. The new foundation is the

ⁱⁱⁱ Rousseau, *Social Contract*, book 1, chapter 8. Presumably Strauss’s translation.

beginning; and the acceptance of, say, Rousseau's teaching [is] a consequence of his alleged discovery of the true principles of morality. We have put, in other words, the cart before the horse (but for sound pedagogical and other reasons), but now we must turn to the horse. And that we will do now and ask Mr. Abbotsford to read his paper.^{iv}

The last part was somewhat speculative but I appreciate very much the effort which has gone into it. There are a few things I care to mention, [though] there was too much to take cognizance [of] while you went.²⁰

I think it is perfectly correct, what you said, that according to Kant the moral statesman (and I assume you take a very broad-minded and intelligent statesman) has no higher rank than the moral artisan. I believe that is correct. But as for the distinction you made between Socratic wisdom and Socratic ignorance, I would say [that] from both from Rousseau's and Kant's points of view they are identical,²¹ namely, it means to know the limits of human knowledge, that is ignorance. But on the other hand, to know well what is within man's competence, that is positive wisdom. You meant that.

Mr. Abbotsford: I meant that they didn't distinguish between them. They seemed to put them together and confuse them, I thought.

LS: No, not confuse them. I think that would require a long study, but their *assertion* is that they are identical.²² That is not merely a conclusion which we can draw. Now you made at a certain point a distinction between two kinds of inclinations which I did not understand.

Mr. Abbotsford: The distinction was that Kant always talks about inclinations, desires. He uses rather mild terms and does not use [the word] passion.

LS: That is correct.

Mr. Abbotsford: And the question I asked was if the categorical imperative—it may be easier to believe that the categorical imperative could control inclinations, but it might be harder for us to accept that it could control passions.

LS: For Kant that is no problem. The difference is this: "inclination" is a traditional term,²³ the meaning of which has somewhat shifted in Kant. The natural inclinations, as natural inclinations, are in the traditional teaching of course unimpeachable, and passions would be certain more or less perversions of the natural inclinations. Now but whatever the relations between inclinations and passions may be, it goes without saying for Kant that we can control our passions, and [it is] a sign of our lacking morality if we do not do that. But certainly that has very much to do with the question of the peculiar meaning which the term "inclination" acquires in Kant, to which we must turn later. Then²⁴ you noted the silence on justice on the first few pages and you said: Because justice is independent of the will. Did you say that?

Mr. Abbotsford: I said we could think that justice would be a virtue. It would be good whether the will was good or not.

^{iv} Mr. Abbotsford reads his paper. The reading was not recorded.

LS: No.²⁵ Kant implies what I meant by a previous remark, that justice necessarily implies a good will.²⁶ I mean, a man²⁷ who does not have a good will cannot be just, whereas Kant asserts [that] you can be temperate or courageous without having a good will. I will take this up later, but I had to take issue with what you said.

And then there was a final point regarding common sense and common understanding. If I understood you correctly, you said that Kant refused to accept the reference to common sense which Hume's critics had made, but in his moral teaching he bases himself on common sense. Is that the point which you made?

Mr. Abbotsford: That would be the problem, but it is solved because he is talking about different things.

LS: Aha.

Mr. Abbotsford: It is always understanding in the first case.

LS: Yes, but that is not very clear. One could say this: in such moral matters²⁸ common sense is competent, but if questions arise which require special training and special efforts, common sense is no longer sufficient. So, for example, common sense²⁹ is perfectly clear according to Kant regarding the moral law, but as for the theoretical understanding of the moral law, common sense is not competent and therefore Kant has to write his book. A simple man of honesty³⁰ knows as much about morality, according to Kant, as the wisest men might know. But as for the status of morality and the relations, for example, between freedom and necessity, of course he does not know anything,³¹ because one has to study in order to get clarity about that.³² Otherwise the paper was quite satisfactory.³³

Now let us first consider the preface which you rightly considered also. A few points should be added, perhaps. Kant begins with the traditional distinction of philosophy and the three sciences: physics, ethics, and logic. This distinction is not the Aristotelian distinction but a distinction which was made in the school of Plato. It is older than the Aristotelian distinction. And Kant says it is perfectly all right, only one has³⁴ to see the ground of that distinction and Kant gives that ground. And the most important consideration here is this: that as far as the material philosophic disciplines, physics and ethics are concerned, as distinguished from logic, the distinction is based on the distinction between nature and freedom—an exhaustive distinction. There cannot be a third philosophic discipline from this point of view because there is no alternative to nature and freedom, and physics deals with the laws of nature and ethics deals with the laws of freedom.

Here the usage calls for some attention.³⁵ The subject of moral philosophy is the moral law. The moral law was traditionally also called, although there are minor distinctions, the natural law. The precise difference, if I am not mistaken—Father Buckley will correct me—is this: That the moral law was a term applied to a part of the law of the Old Testament, consisting of the moral law, the ceremonial law, and the judicial law; whereas the law of which moral philosophy proper speaks was called the natural law. Is this not substantially the situation?

Father Buckley: As far as I know.

LS: ³⁶For example, I remember from Hobbes's statement, where he says [that] all writers say the moral law is identical with the natural law, and that must have had some prehistory, otherwise he would never have written it that way.³⁷ But at any rate, the moral law could be called the natural law. Kant makes it clear here by his usage [that] the moral law cannot be called in propriety the law of nature. It can only be called the law of freedom. So this indicates already one very grave, grave point.³⁸ The moral law has nothing to do with nature. This is already indicated by this usage.

Furthermore, Kant makes it clear that these three disciplines, physics, ethics, and logic, are partly empirical and partly purely rational. The purely rational he calls *a priori*, the empirical he calls *a posteriori*. Now these terms had originally a very different meaning from the meaning which they acquired in Kant. The original meaning was [that] *a priori* reasoning means reasoning from causes to effects, from what is earlier, *prior*, to what is later, *posterior*; whereas *a posteriori* reasoning is reasoning from effects to causes. But then, as far as I can see, under the influence of Leibniz *a priori* reasoning came to mean reasoning from the concepts; the concept, the essence of the thing being necessarily the cause of the thing, [i.e.], reasoning from concepts as distinguished from experience. And Kant gives the distinction this meaning which since his time has become³⁹ rather generally accepted: *a priori* reasoning is reasoning which is in no way based on experience.

You⁴⁰ observed, I am sure, that Kant uses here physics and natural philosophy as synonyms, of course. That was still the old usage, familiar to you⁴¹ in this country still [from] the society in Philadelphia founded by Benjamin Franklin. How is it called? Institution, or association, for natural philosophy?^v And natural philosophy here means simply natural science—

[change of tape]

—Kant makes another distinction which must not be misunderstood.⁴² Kant has spoken of the fundamental distinction of philosophy into⁴³ physics, ethics, and logic. He had not referred to metaphysics, which according to the Aristotelian tradition was a part of philosophy. Why did he not do that?

Student:⁴⁴ He said⁴⁵ there is a metaphysics of ethics and a metaphysics of nature, physics, that metaphysics has two parts and⁴⁶ each is a subdivision.

LS: No, that is the error which I [will] try to dispel. Kant did not mention metaphysics because metaphysics in the Aristotelian and traditional sense is not possible, according to Kant. Let us call that transcendent metaphysics. [This] is impossible. But there is a metaphysics which is possible and that we may call immanent metaphysics, and this immanent metaphysics is, in the case of nature, the metaphysics of nature, which is the *a priori* doctrine of nature as empirically accessible; and the metaphysics of morals is also one which is absolutely within the limits of

^v The American Philosophical Society was founded by Benjamin Franklin and friends in 1743 and dedicated to the study of what today is called natural science.

human reason.⁴⁷ The metaphysics of nature and the metaphysics of morals are disciplines, rational disciplines, within the limits of human reason, disciplines possible on the basis of the criticism of pure reason. That is necessary in order to understand Kant's usage. Metaphysics of nature has nothing to do with a metaphysics old-style. It is something like the most general part of Newton's physics, not more than that. The status of the metaphysics of morals is somewhat different.

Now just as metaphysics of nature is the basis of empirical physics, metaphysics of morals is the basis of⁴⁸ a corresponding empirical discipline which Kant calls practical anthropology. Practical anthropology is the empirical doctrine regarding morals. Kant had written such a book.⁴⁹ He gave lectures on this subject regularly and they were published: *Metaphysics in Pragmatic Intention*.⁵⁰ Its character appears perhaps most clearly from the following remark—somewhere there he distinguishes between psychology and anthropology.⁵¹ The book would ordinarily be called, I believe, a psychological book, but Kant refuses to call it that way because psychology is a discipline which would deal with the soul as an incorporeal substance. We know nothing of the soul as an incorporeal substance. He calls this discipline anthropological because it is strictly empirical and deals with the human soul, man's inner experience as empirically known⁵²—to the extent that it has a practical meaning—with a view to the improvement of men, to the training of men, with a view to both happiness and morality.⁵³

After having made this distinction, Kant states a reason why a strictly *a priori* doctrine, [that is a] strictly non-empirical doctrine of morals is necessary. Kant contends it is necessary not only for theoretical reasons, in order to have tidiness in our philosophical theory, but it is also necessary for moral reasons. Do you remember the reasoning which he gives for that? Why does morality,⁵⁴ and not only theoretical tidiness, [demand] that morals be strictly *a priori*?

Student: One reason he gives is that there would not be any other sure basis of morality; you could not base it on experience because you cannot know it completely.

LS: More precisely, to the extent to which we are guided decisively by experience in our moral judgments, to that extent our moral judgments are not⁵⁵ morally pure. Morality is of such a nature that it can only be *a priori* or not at all. The reasons we will gradually see.⁵⁶

Reader:

Since my purpose here is to directed to moral philosophy, I narrow the proposed question to this: Is it not of the utmost necessity to construct a pure moral philosophy which is completely freed from everything which may be only empirical and thus belong to anthropology? That there must be such a philosophy is self-evident from the common idea of duty and moral laws. Everyone must admit that a law, if it is to hold morally, i.e., as a ground of obligation, must imply absolute necessity.^{vi}

^{vi}Immanuel Kant, *Critique of Practical Reason and Other Writings in Moral Philosophy*, trans. Lewis White Beck (Chicago: The University of Chicago Press, 1949), 51-52; [4:389] Hereafter referred to as "Beck."

LS: In other words, that alone proves it. A law derivative from experience cannot have absolute necessity, which is, by the way, today generally admitted. So since the moral law has this character it cannot be of empirical origin.

Reader:

he must admit that the command, “Thou shalt not lie,” does not apply to men only, as if other rational beings had no need to observe it. The same is true for all other moral laws properly so called. He must concede that the ground of obligation here must not be sought in the nature of man or in the circumstances in which he is placed but sought *a priori* solely in the concepts of pure reason, and that every other precept which rests on principles of mere experience, even a precept which is in certain respects universal, so far as it leans in the least on empirical grounds (perhaps only in regard to the motive involved) may be called a practical rule but never a moral law.^{vii}

LS: You see here another reason, to which I referred before. The moral law must be of such a kind as to apply equally to all rational beings, man or non-man, i.e., angels and God. That is a crucial point. [As]⁵⁷ I mentioned on an earlier occasion, this had a prehistory⁵⁸ and had something to do with all the great questions of divine justice raised by various theological doctrines, and where⁵⁹ some theologians were inclined to say that God’s justice cannot be measured by human notions. Or to state it differently, if you define justice in human terms, as Aristotle did in his *Ethics*, for example, then this justice cannot be applied to God as Aristotle says, because God does not engage in exchange, commutation. This kind of justice⁶⁰ would be wholly inapplicable to that.

And prior to Kant, Leibniz had already made a change in this respect.⁶¹ The traditional definition of justice was [that] justice is the perpetual will to give everyone what is his, what belongs to him. Now, but does anything belong to man from the point of view of God? Is not everything which is man’s by this very fact God’s? Therefore God cannot be just or unjust to man. Man is God’s property. Therefore, Leibniz says, for this as well as for other reasons,⁶² we must define justice in such a way that it is equally applicable to God and to man. And he defined it therefore as love tempered by wisdom, benevolence tempered by wisdom. Benevolence tempered by overall considerations of the needs of the whole universe, for example, that is justice. And that of course is applicable to God as well as to man.

But we must keep this in mind, that this is one [of Kant’s] major motives⁶³ for his *a priori* ethics. Ethics cannot be based on the nature of man and on⁶⁴ man’s natural inclinations, because this leaves us unprotected, if I may say so, against God, and Kant wants to find a principle which binds God as well as man. And here of course from this it follows immediately that the moral law cannot possibly be called a law of nature, a natural law, because it cannot be derived from any nature.

In the immediate sequel, will you read that, there is also a passage of some importance.

^{vii}Beck, 52, parentheses in Beck; [4:389]

Reader:

Thus, not only are moral laws together with their principles essentially different from all practical knowledge in which there is anything empirical, but all moral philosophy rests solely on its pure part. Applied to man, it borrows nothing from knowledge of him (anthropology) but gives him, as a rational being, *a priori* laws.^{viii}

LS: In other words,⁶⁵ the applied morality, we could say, gives *a priori* laws but considering the peculiar character of man. The simple example is this: the pure will, or the good will, of which Kant speaks: that applies equally to all rational beings. But *duty* does not apply to God because⁶⁶ only such a rational being⁶⁷ that is in some way limited,⁶⁸ [which] has in itself some possible opposition to the pure will, [can have duties].⁶⁹ That is what he means. There is a certain modification of this unqualified moral law with a view to man in general, but without however being based on any empirical principle.

Reader:

No doubt these laws require a power of judgment sharpened by experience, partly in order to decide in what cases they apply and partly to procure for them an access to man's will.

LS: That is all we need. You see here Kant admits the importance of a power of judgment sharpened by experience. There is a certain tension between this admission and⁷⁰ other remarks which we have read and of which you gave us an account.⁷¹ We must see what is finally the Kantian view on this subject.

In the sequel, in the next paragraph,⁷² Kant speaks very emphatically of the distinction between legality and morality. One could put it this way: if there were no distinction between legality and morality,⁷³ morality would not have to be *a priori*. Let us read the next paragraph.

Reader:

A metaphysics of morals is therefore indispensable, not merely because of motives to speculate concerning the source of *a priori* practical principles which lie in our reason, but also because morals themselves remain subject to all kinds of corruption so long as the guide and supreme norm of their correct estimation is lacking. For it is not sufficient to that which should be morally good that it conform to the law—

LS: To the moral law.

Reader:

it must be done for the sake of the [moral] law. Otherwise the conformity is merely contingent and spurious, because, though the ummoral ground may indeed now and then produce lawful actions,

^{viii} Beck, 52, parentheses in Beck; [4:389]

more often it brings forth unlawful ones. But the moral law can be found in this purity and genuineness (which is the central concern of the practical) nowhere else than in a pure philosophy; therefore, this, (i.e., metaphysics) must lead the way, and without it there can be no moral philosophy.^{ix}

LS: That is all we need now. What is an example of what Kant means⁷⁴ [by] a moral teaching which induces us to act according to law but not for the sake of the law? A simple example is utilitarianism. When you are told a moral action consists in actions for the greatest good of the greatest number, nothing is said as to your motive; you may do that out of calculation, because you say that generally speaking it pays if you are a nice fellow and that is that.⁷⁵ But you see generally speaking it pays, [because] there are cases in which it pays not to be a nice fellow, especially if you are not detected. That is the impurity which Kant has in mind.⁷⁶ If we want to have laws which are not subject to any qualifications of a prudential or experiential nature then these laws must be *a priori*. They alone guarantee not only that our actions are materially good but that they are also good⁷⁷ in their motivation.

Legality can be induced by calculation, by empirical motivation. But that means also there is no universal necessity here, because no empirical rule of prudence is without exception, whereas Kant wants to⁷⁸ be sure of a law which has no exceptions. Generally stated, if we are commanded to act morally, this allows of no exceptions. If you take a very specific rule, like returning deposits, there exceptions are possible, but on the general level exceptions are impossible. Therefore this cannot⁷⁹ have an empirical basis.

Kant speaks in the sequel (you mention this is your paper) of the purpose of this particular writing⁸⁰ of the *Foundations of the Metaphysics of Morals*— that is really, one can say, a kind of first draft of the *Critique of [Practical]^x Reason*.⁸¹ The two books supplement each other, and of course in very important respects the *Critique of [Practical]^{xi} Reason* is much more subtle and elaborated, but on the other hand the moral pathos appears more clearly here.⁸² Many more things could be said about the preface, but leave it at that and turn now to the first section. Now the difficulties are overwhelming, and⁸³ I will try to see how I can begin a discussion. I am almost sure we will need the next meeting for further discussion of this section.⁸⁴

Kant says first [that] the good will is the only thing which is unqualifiedly good. And he says in the sequel, to make this quite clear, [that] the good will is the highest good in the world or outside of it, meaning it applies to God as well as to man.⁸⁵ It is very hard to come to one's senses, if I may say that, when one is confronted by these two very powerful pages:⁸⁶ is it not obvious? That is at least the reaction which I always experience whenever I read these two pages. And yet there are certain obvious difficulties.⁸⁷

I will first ask you generally. Do you see any difficulty in Kant's assertion? Or does it make full sense that *everything else*, everything else, however good it may be, can be misused, and the only

^{ix}Beck, 52, parentheses in Beck; brackets indicate the reader's changes to the translation on the basis of Strauss's emendation; [4:389-90]

^x Strauss says "Pure," evidently in error.

^{xi} Strauss says "Pure," evidently in error.

thing which cannot be misused is the good will? I mean, lest we are impressed by some very great achievements of men, very great capacities; but they surely can be misused, there is no question. And Kant says if there is anything which is unqualifiedly good, and even the highest good, it can only be that which is radically immune by its nature against misuse. What about that?

Student: The difficulty is putting the will above nature itself. That is applied to God as well as man, taking the whole range of its extension.

LS: Yes, yes.

Student: I mean, for example, to make an immediate objection, there is the question of divine reason or intellect.

LS: Kant would really say that God's intellect is perfectly good only because it is connected with the divine, i.e., good will.

Same student: In the traditional notion this is rooted in the nature that reason guides will.

LS: Exactly.⁸⁸ That Kant tries to exclude.

Student: One question which comes to my mind is what happens if someone is in a position of authority, like a general of an army, and he has the best will in the world, but he doesn't have the substantive knowledge that saves his men?

LS: Yes, but then one could say this: If he lacks this knowledge because of guilty ignorance, then of course he is morally guilty, and it is his bad will because he did not acquire the knowledge. If it was imposed [on him], say, a man who was a very good butler is imposed [upon] by a foolish oriental monarch as a general of his army, then of course he is guiltless. He simply obeys this authority and he cannot be blamed.⁸⁹ A good will means in Kant necessarily that you make every effort to do the right thing. In other words, a full endeavor is required, but if your endeavor is extremely limited because you are paralyzed, for example, in the possibility of your endeavor, then you are not guilty for that. It is only the good will that includes the maximum endeavor possible; that is what Kant implies. So the good will is the only thing which is unqualifiedly good and even the highest good, because every other good depends, as far as its goodness is concerned, on being well-used, i.e., used by a good will.

Student: I wonder if this statement is unintelligible. Otherwise men wouldn't accept the distinction between the noumenal and phenomenal worlds.

LS:⁹⁰ We can say that only after we have criticized successfully and legitimately Kant's teaching regarding the pure will, the good will. Then we must of course raise the question of what induced Kant to present this teaching, and then we may find one of the roots in the peculiar teaching of the *Critique of Pure Reason*. But Kant claims to start here from scratch, not presupposing the results of the *Critique of Pure Reason*.

Same student: . . .

LS: Yes, the actions are implied in a way. Let us take the example given by Mr. Habinsoft: a very great statesman who acts virtuously on a large scale. He could act in this way because he had a very good upbringing, both at home and maybe from Harrow (or the University of Chicago) and other things and, furthermore, because he has marvelous natural gifts. But what is really the object of praise strictly understood? I mean, ⁹¹we praise all kinds of things: a marvelous house, and we praise the owner—and that of course is in a way silly because the owner may not have had anything to do with it except that he paid the architect and no one is to be praised for the mere possession of money.⁹² So what precisely is worthy of praise? The traditional teaching was that praise attaches to the act of virtue. That he had a good upbringing is not his merit. It is to some extent his merit that he lent himself to being brought up well and not to run away from the paternal despotism of his parents at too early a date. But still,⁹³ the merit is more owed to the parents than to him. Similarly, that he has great gifts, even outstanding gifts, is not his merit. What is meritorious strictly speaking is the *use* he made of these opportunities, the good will. And Kant finds something spurious and superficial in our ordinary praise, because there we do not make a distinction between what is truly the merit of this man strictly understood and what is not his merit. That he got these opportunities is not to his merit; that he accepted them is his merit, i.e., the good will. That is the point which he has in mind. And one could say the same about the architect;⁹⁴ that at least is Kant's assertion. The architect who builds his house, for which we praise him and not the wealthy owner. What did he do? He made a good use of his native faculties. He cultivated them properly and so on, but the faculties were *given*.⁹⁵ He has to praise God for that. I use this expression deliberately because you will see that it is of crucial importance.

Kant is trying (I say this in the hope of proving it)—what Kant is concerned with is isolating the elements for which alone man is fully responsible. It is a concern—I mean, we can state Kant's thesis from the outset as follows: morality is freedom, morality is autonomy. The *purity* of morality consists in its autonomous character, in man's himself determining. Now all things given to him are not dependent on his determining. What is dependent on his determining is only the use he makes of it, i.e., the good will. So in other words, the Kantian doctrine of the good will, while appearing at first glance as a teaching inspired exclusively by the concern with purity of form, is at the same time concerned with man's freedom. The two things shift into each other and they are not easily distinguished.

But I would like proceed as follows and link it up with an older discussion of which I happen to know. Now I start first as follows.⁹⁶ Simply confronted with the text, one could say: Why is there only one thing which is unqualifiedly good? For example, why not speak of many beauties of art and nature which exist? Why not say [that] there are many kinds of goods? Kant's answer would seem to be that they can be misused, to which one could very well reply: What you call misuse is a distortion and therefore not a misuse proper; it is not a use at all. If someone takes a noble work and uses it for ignoble purposes, one can rightly say it is not properly called a misuse; it is a distortion, and therefore not a use at all. He uses a part of it taken out of the context, which is no longer a use of the whole thing. But one could also argue as follows, perhaps. Now let us take the admiration for something beautiful, a pure feeling of admiration for something beautiful. How can this be called unqualifiedly good? Kant's answer is it may distract us from something more

important, and therefore it cannot be unqualifiedly good. If you surrender to some beauty, say, a play, and neglect your old grandmother who needs your help badly, that is a most improper use of your time and . . . In other words, only the most important thing, the one thing needful, can be unqualifiedly good. Not that other things are not good in themselves, but there are times and circumstances for that, whereas there are no times and circumstances for decency. For particular acts of decency, of course, but in every case of conflict, the demands of decency or morality would override. Still, however this may be, this is not unimportant because it implies one thing: that there may very well be other good things which do not derive their goodness from the most important good. Granting that the good will is the highest, that it has the right of way, that does not mean that all good things are derivative from it. And therefore that creates a certain problem.

But I come now to the main issue, and that is a discussion which we find in Plato's *Gorgias*, in the first section. Someone says rhetoric is the most wonderful thing, the highest art, but he has to admit that there are crooks who misuse it. The art of swaying people by speech can be used for bad purposes. He admits it, to which Socrates replies, in substance: then rhetoric cannot be the highest art. The two assertions, [that] rhetoric is the highest art and [that] rhetoric can be misused, are contradictory. We must seek for an art regulating the use of rhetoric. This would be the queen, regulating rhetoric. We must seek for an art which cannot be misused. This art we may say is called by Socrates *phronesis*, which⁹⁷ in Latin is translated *prudentia*, prudence. The usual present day translation is practical wisdom. Practical wisdom cannot be misused because it is the faculty of using⁹⁸ anything [well]. Hence Socrates teaches that practical wisdom is the only unqualified good or the highest good. Practical wisdom is that faculty which illumines choice. It illumines choice; it is not identical with choice or will. That is a certain difficulty. But the difficulty⁹⁹ is solved by Socrates, superficially, by the assertion that it necessarily determines the will. Therefore virtue is knowledge. Into this difficult subject we do not have to go.

But there is one great difficulty. While practical wisdom strictly understood cannot be misused, it cannot protect itself. It is exposed to certain dangers which are beyond the competence of practical wisdom. Well, a simple example from the present day is this:¹⁰⁰ such doctrines as Marxism (and there are always equivalents of such doctrines at all times in the world) can be said to endanger practical wisdom by their claim to knowledge regarding the future, for example. Practical wisdom is essentially operative in a horizon of an unknown future. But if you know the future or believe you know it, that affects necessarily practical wisdom. Say, Marxism: in order to protect practical wisdom in our age it is necessary to criticize Marxism. But that cannot be done by practical wisdom. Think of a man of very great practical wisdom, like Churchill, for example. He would simply not have the time or maybe even the training for criticizing Marxism. So we need then something which Socrates sometimes also calls practical wisdom but which is not quite the same thing, namely, philosophy. Philosophy is that which protects practical wisdom, cannot be misused, and is the ground for all goods which men can possess. That is, I think, very crudely stated, the Socratic-Platonic assertion; and with minor modifications that could also be said of Aristotle. Now here we have a teaching diametrically opposite to Kant's, because we can now say [that] Kant replaces practical wisdom by the good will. We shall see later that he identifies will with practical reason, but I mention this only, without trying to explain it. Kant replaces practical wisdom by the good will.

Let us consider¹⁰¹ another aspect of practical wisdom. Practical wisdom as Socrates and Plato understand it is in the service of happiness. With a view to what does the man of practical wisdom make his choices? With a view to happiness. The good will, as we have heard, as Kant understands it is not directed towards happiness.¹⁰² How are these two things connected? Practical wisdom as it was understood by Socrates and Plato is the perception of something, or implies perception of something, say, crudely,¹⁰³ of happiness and perfection. The good will is not the perception of something and therefore, since the only possible object could have been happiness or perfection,¹⁰⁴ [the good will] has nothing to do with those, with happiness or perfection. I submit this¹⁰⁵ at the beginning of our discussion.¹⁰⁶

Student: If you substitute the good will for practical wisdom, would you not say that the good will also needs protection which would make philosophy higher?

LS: That is a perfectly good point, and especially good since (as you may have heard from the paper, if you have not read it) Kant himself said that. He says at the end of this section: innocence, meaning the good will taken by itself, is something very good, but unfortunately it is so easily lost. Therefore it needs protection, and that protection is philosophy. In other words, one could very well say that Kant's judgment regarding the good will as the highest is said in a certain contrast to the importance which he cannot help attaching to philosophy—the point to which you referred in your paper. Surely. But¹⁰⁷ before we try any possible criticisms let us try to understand what Kant means.

First, I repeat the thesis:¹⁰⁸ only the good will can be unqualifiedly good. Or, as Kant also says, only the good will is good in itself. And he also says the good will is the highest good, which however does not mean, as he makes clear, that it is the whole good, the complete good. The complete good requires both the good will and happiness, but of the two components the higher one and the overarching one is the good will. In this sense it is the highest good.

Now let us consider some traditional statements about that. I read to you for example from Thomas's commentary on the *Ethics*: "someone is called a good man simply with a view to the fact that he has a good will. But with a view to the fact that he has a good intellect he is not called good simply, but good in a certain respect, for example, a good grammarian, a good musician."^{xii} That is fundamentally what Aristotle said in that passage in the *Ethics*. And what does that mean? Well, as in the case of Aristotle, always he defers to what we ordinarily mean. If I say a good man,¹⁰⁹ I refer to the goodness of his character; otherwise I say a good political scientist, or a good musician, a good grammarian, or a good tight-rope dancer, whatever it may be. If I say simply¹¹⁰ he is a good man, then I mean his character (and as Thomas specifies, in perfect agreement with Aristotle), that he has a good will, because goodness or virtue means according to Aristotle a habit of choosing well. A habit of choosing well. But choosing is the Aristotelian term for what he calls will. So the essence of morality consists in the good will. That is nothing new.

^{xii} Thomas Aquinas, *Commentary on Aristotle's Nicomachean Ethics*, book 3, lecture 6. Comment 451. Strauss's translation. Concerning Aristotle (IIIIb31).

Thomas explains in the sequel [that] the praise of virtue refers to the will, not to the power, meaning the power is an accidental thing: very important for the action, but not as such the object of the praise proper, because¹¹¹ the power is something which he does not necessarily owe to his merit. And if there is no power whatsoever (and that may happen), the good will is sufficient.¹¹² But to repeat: If the power is available and not made use of, then of course that is a proof that there is no good will. But, on the other hand, [in] the absence of the power, being guiltless the good will as good will suffices.

But Thomas makes it clear, however, in other passages that the goodness of man consists in the good will, but the good will is not the highest good. For Kant goodness simply consists in the good will and the good will is the highest good. Now from this simple example, to which Father Buckley referred, we see that Kant raises the status of the good will enormously.

For the preparation I believe that¹¹³ a few passages from Descartes [are important], which I would like to read. *Passions of the Soul*, Articles 154 and 152:

the generous men esteem themselves only because of their good will. In comparison with the good will they regard not only wealth or honor but even wit, knowledge, and beauty as very insignificant, because¹¹⁴ they are given. Only the right use of our free will gives us just reason for esteeming ourselves—^{xiii} [but¹¹⁵ Descartes gives a reason which Kant does not give—LS] because only the free will makes us somehow similar to God.^{xiv}

You see this theological implication is there not only in Kant but in Descartes as well. The boosting of the good will, if I may use this vulgar expression, has something to do with raising the status of man, and that thesis is of course developed at great length by Descartes in his *Meditations*, number 4. I think I can leave it at that. So Kant makes here a fundamental change, but a change not wholly unprepared, and in this preparation Descartes's teaching regarding the fact that we¹¹⁶ resemble God most by our will plays some role.

The second point which we have to make¹¹⁷ regarding the first paragraphs is this, which I repeat again: Kant mentions here all virtues in passing, why all the virtues are not unqualifiedly good: temperance, courage, generosity,¹¹⁸ and knowledge. They can all be misused. But there is one virtue which he just does not mention, because it would not make sense, and that is justice.¹¹⁹ I would interpret this as follows, as a provisional characteristic of Kant's moral philosophy: the whole emphasis is on justice, the whole emphasis is on justice as distinguished from the other virtues, and¹²⁰ that is confirmed by¹²¹ the apparently very early statement of Kant's as to Rousseau's influence on him: "Rousseau has brought me into right shape."^{xv} Kant learned to see the insignificance of theoretical achievements: morality is the one thing needful. And Kant expresses what he means by morality here by saying Rousseau taught him to respect the rights of man. Now the respect for the rights of man obviously falls under justice. Justice is *the* social

^{xiii} René Descartes, *Passions of the Soul*, Art. 154. Strauss's translation.

^{xiv} Descartes, *Passions of the Soul*, Art. 152. Strauss's translation. Deletions indicate Strauss's correction of what he had said, e.g., "because they are not given" is corrected as "because they are given"; "Descartes" replaces "Kant," which Strauss had said in error.

^{xv} *Remarks on the Observation of the Feeling of Beautiful and Sublime* [20:44]

virtue. It becomes the central virtue in Kant, and of course in a somewhat new way of understanding, namely, the reference to the rights of man.

Up to now we have only considered Kant's assertion that the good will is the only unqualified good. One more word about this subject. The good will is the highest good, that is to say it is that which alone can be imputed to man, for which man is fully responsible. He is not responsible for the gifts of nature and chance. The gifts of nature and the specific activities—for example that someone is a general and another is a garbage-collector—are secondary, not to say irrelevant, compared with the good will. In the decisive respect all men *can* be equal because in this respect the difference of capacities does not play any role. The simplest man and¹²² the highest genius are not in a different position. Equality is not based on either the fact that all men are equally the children of God nor on self-preservation, which allegedly is equally strong in all men, but on that for which man is responsible. The doctrine of the good will means in the first place that Kant isolates this element for which man is entirely responsible and gives it the greatest possible weight. So seen in the perspective of Kant in modern times, it is an amazing act of *liberation* of man from everything which is not dependent. In the *City of God*, twelfth book, paragraph 10, Augustine is speaking not of men but of angels, but the same would apply to men as well: man was *created with a good will*. Created with a good will. The good will was an original gift. Why? Otherwise, man would owe more to himself than to God. That of course is exactly what Kant rejects. Whether he knew of that passage or not is unimportant.

Kant tries to isolate the domain in which man is absolutely and legitimately sovereign. That is the similarity of Kant's moral philosophy with Descartes's attempt to discover a sphere in which no God, however powerful, can have power over man. Even if there would be a very evil genius who would wish to deceive us, in order to deceive beings he must create intelligent beings. A stone or a dog cannot be deceived. So he must have given these beings understanding, but by giving them understanding he prepared his own downfall, because if they have understanding they can use it intelligently and then they are no longer deceived. That is the sphere which is absolutely immune and given by the fact of man's rationality. Kant, for certain reasons which we can perhaps clarify later on, finds this sphere rather in morality than in understanding.

Now as I said, up to this point Kant has merely asserted that the good will is unqualifiedly good and the highest good. Now he must prove it, because although no great argument against Kant's assertion has come to the fore in these centuries, other people might have some objections. How does Kant prove it? I think we can read the beginning, the fourth paragraph.¹²³

Reader:

But there is something so strange in this idea of an absolute worth of the will alone, in which no account is taken of any use, that, notwithstanding the agreement even of common sense, the suspicion must arise that perhaps only high-flown fancy is its hidden basis, and that we may have misunderstood the purpose of nature in its appointment of reason as the ruler of our will. We shall therefore examine this idea from this point of view.^{xvi}

^{xvi} Beck, 56; [4:394-395]

LS:¹²⁴ Of course that is a somewhat problematic argument from Kant's point of view, because it is based on the assumed knowledge of the intentions of nature, which premise is not tenable from Kant's ultimate point of view. But he thinks it is a good introduction to begin this way. How does he argue? What is the problem? Why did nature give us reason as the guide of our will?¹²⁵ He argues as follows. If nature has given us reason as the guide of our will, so that the will should guide us towards happiness, nature would have acted unwisely, because we could have been made much more happy by instinct, by an instinct directing us towards happiness as well as towards the means of happiness. Therefore, happiness cannot have been the end which nature pursues.

But then there is another possibility to which Kant refers. Maybe nature intended and gave us reason for this purpose, that we should be able to recognize the beneficence of nature, or the beauty of nature, or the order and regularity of nature. Maybe this was the purpose for which we are intended. But Kant says [that] for this purpose it was not necessary that we should have *practical* reason. For this purpose it would have been sufficient if we would have been given theoretical reason alone. The conclusion: Man was not given his practical reason for the sake of his happiness nor for the sake of his theoretical understanding; and then it follows that men were given practical reason merely¹²⁶ so that there would be a good will without any regard to happiness.

Now while this is an entirely provisional argument, perhaps it is worth considering for a moment. What are the difficulties? If men were meant for happiness, instinct would have been the best guide. But if men were meant for understanding, for contemplation, then he would not have needed practical reason.¹²⁷ Man's possessing practical reason cannot be understood on these bases. Is this a good argument? Disregard entirely the fact that from Kant's point of view, teleological arguments cannot have cognitive power. But is it an articulation of the problem? Question?

Student: If theoretical reason cannot be exercised without a body—

LS: Yes, that is the assumption when we speak of terrestrial beings.

Same student: And practical reason is needed in order to serve the purposes of the body, then practical reason would also be needed to serve the existence of theoretical understanding.

LS: Yes, something of this kind I think one could very well argue. One could say that if a being with a body, and with all the impediments which the body creates to turn . . . aside, would lack those incentives stemming from the bodily needs which come out only from the impediments to the satisfaction of the bodily needs. Therefore, in other words, if the satisfaction of the primary needs were not given to man's reason too. I think you meant that, didn't you?

Same student: I did not quite follow that. I mean, weren't you adding to the argument the idea of *Universal History*?

LS: No, I was not thinking of that at all.¹²⁸ In a terrestrial being like man, the concern with contemplation is necessarily limited by the body . . . If the needs of the body were automatically

satisfied, then the incentive coming from the difficulties of satisfying it would not contribute towards the awakening of the theoretical interest.¹²⁹ If one argues teleologically, one could argue in that way.

What is the background of this whole discussion on these two pages?¹³⁰ Did you see something through that? A historical background? Kant argues in the sequel as follows, and there you will recognize it immediately, I think. If man had been given reason for the sake of his happiness, nature would have acted very unwisely, because the use of reason towards man's happiness is fatal to happiness. Do you recognize something? That is Rousseau. In other words, this part of Rousseau is taken over by Kant. If man were meant for happiness, his having reason is indefensible; only whereas Rousseau apparently drew the conclusion, Hence let us abandon reason and return to the state of nature, Kant says, No, reason must have another function; it must not be in the service of happiness, it must be in the service of something else. To this criticism one could very well say that Kant speaks here not of the use of reason for happiness but to a very silly use of reason for happiness: luxury and all this kind of thing. One could very well say that the teaching of the whole philosophical tradition had been that the wise use of reason for happiness consists in limiting man's desires and not in expanding them; and that the whole problem as stated here arises from a foolish use of reason for men's happiness.¹³¹

What then is the conclusion? That is in the¹³² third paragraph after the one we read.¹³³

Reader:

Reason is not however, competent to guide the will safely with regard to its objects and the satisfaction of all our needs (which it in part multiplies), and to this end an innate instinct would have led with far more certainty. But reason is given us as a practical faculty, i.e., one which is meant to have an influence on the will. As nature has elsewhere distributed capacities suitable to the functions they are to perform, reason's proper function must be to produce a will good in itself and not one good merely as a means, for to the former reason is absolutely essential. This will must indeed not be the sole and complete good but the highest good and the condition of all others, even of the desire for happiness. In this case it is entirely compatible with the wisdom of nature that the cultivation of reason, which is required for the former unconditional purpose, at least in this life restricts in many ways—indeed can reduce to less than nothing—the achievements of the latter conditional purpose, happiness. For one perceives that nature here does not proceed unsuitably to its purpose, because reason, which recognizes its highest practical vocation in the establishment of a good will, is capable only of a contentment of its own kind, i.e., one that springs from the attainment of a purpose, which in turn is determined by reason, even though this injures the ends of inclination.^{xvii}

^{xvii} Beck, 57-58, parentheses in Beck; [4:396]

LS: Thank you. You see here, what is happiness according to Kant, the most general definition which he gives? In the first paragraph he speaks of the whole¹³⁴ feeling well and contentedness with one's condition. That is happiness. Now let us take contentedness.¹³⁵ Of course different people are content with different things; that goes without saying. But still, Kant speaks here also that the good will carries with it a contentedness of its own. Did he not say that? Why then is the contentedness with things other than the good will radically separated from the contentedness going with the good will? Kant's concept of happiness is constituted by this perhaps arbitrary divorce.¹³⁶ Let us assume that someone finds his happiness in the satisfaction with his character, disregarding the specific things which may arise on his faults; but let us assume¹³⁷ that he finds his contentedness substantially in being a good man. What is wrong with that?

Student: Would not Kant argue that that was merely accidental? There is no necessity for his happiness. Maybe in individual cases it would happen but it is totally unpredictable.

LS: I see. So in other words, we are not under moral obligation to be contented with our morality. We are under a moral obligation to be moral. But still, could not one argue this way, as quite a few people have argued: If you are confronted with two people, the one who does his duty for the sake of duty but all his inclinations are against it, and the other does his duty for the sake of duty and yet he is inclined towards that. Would the latter not be the more harmonious man? That was the line of criticism which was started immediately after Kant and played a certain role for Hegel, especially. I mention this . . . Mr. Sacks?

Mr. Sacks: . . .

LS: Something of the kind Kant could have said, and that was also implied by earlier people which Father Buckley has in mind, namely, that that this contentedness in its specific differences from other forms of contentedness cannot be understood before we have understood its ground, the ground being morality—

[end of tape]

¹ Changed from "now, Kant says here... that is the discussion of what Kant regards as the fundamental alternatives."

² Deleted "only."

³ Deleted "and."

⁴ Deleted "this is necessary...."

⁵ Deleted "which is...."

⁶ Deleted "and that is this. If you... well it is hard to find In the first Appendix, the beginning of the end. The second, third, fourth, fifth, sixth seventh paragraph from the end. Do you have this? Seventh paragraph from the end of the first appendix? If give me your edition I will look it up for you. I wonder whether it is complete. No, I think he omitted that. [inaudible]. Yeah That's it. Will you read that? Tell them which page. **Reader:** page 40 in this edition."

⁷ Deleted "the case is entirely...."

⁸ Deleted "which is...."

⁹ Deleted "so that is... that is... You see."

¹⁰ Deleted "on."

¹¹ Deleted "I mean."

¹² Deleted "see that...."

¹³ Deleted "is...."

¹⁴ Deleted "now how does...."

¹⁵ Deleted "and here is... therefore...."

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- ¹⁶ Deleted "also."
¹⁷ Deleted "to."
¹⁸ Deleted "of Rousseau."
¹⁹ Deleted "a crucial part which...."
²⁰ Changed from "while I went, while you went rather."
²¹ Deleted "oh... you said this? They are identical."
²² Deleted "their assertion."
²³ Deleted "which...."
²⁴ Deleted "you made one point...."
²⁵ Deleted "no, that is certainly not what... what...."
²⁶ Changed from "what I meant by a previous remark, because justice necessarily implies a good will."
²⁷ Deleted "who is...."
²⁸ Changed from "in such matter... in moral matters."
²⁹ Deleted "would be perfectly...."
³⁰ Deleted "could...."
³¹ Deleted "that he has to... that...."
³² Deleted "so but...."
³³ Deleted "and I am very glad because it was the first paper you read in my seminars."
³⁴ Deleted "to see why it is...."
³⁵ Deleted "what was it...."
³⁶ Deleted "at any rate, there was...."
³⁷ Deleted "so."
³⁸ Deleted "there is no...."
³⁹ Deleted "generally...."
⁴⁰ Deleted "you... you could have."
⁴¹ Moved "from."
⁴² Deleted "in the...."
⁴³ Deleted "physics, logic... physics...."
⁴⁴ Deleted "because he... he included...."
⁴⁵ Deleted "that metaphysics...."
⁴⁶ Deleted "there are...."
⁴⁷ Deleted "so metaphysics...."
⁴⁸ Deleted "a similar...."
⁴⁹ Deleted "well, he developed...."
⁵⁰ Deleted "to show you...."
⁵¹ Deleted "what is...."
⁵² Deleted "with a view to...."
⁵³ Deleted "now in this...."
⁵⁴ Moved "demand."
⁵⁵ Deleted "pure."
⁵⁶ Deleted "now, there is a passage which we should read. If you give it to me I will show which part it is. You may begin here, page 51, bottom."
⁵⁷ Deleted "now, as I... this."
⁵⁸ Changed from "that this had had a pre-history."
⁵⁹ Deleted "the...."
⁶⁰ Deleted "would only...."
⁶¹ Deleted "by...."
⁶² Deleted "is that."
⁶³ Deleted "for Kant."
⁶⁴ Deleted "the...."
⁶⁵ Deleted "the moral law... I mean."
⁶⁶ Deleted "it... it...."
⁶⁷ Moved "can have duties."
⁶⁸ Deleted "as."
⁶⁹ Deleted "but otherwise...."

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- 70 Deleted "between."
- 71 Deleted "that."
- 72 Deleted "then."
- 73 Deleted "we would not need a priori...."
- 74 Deleted "between."
- 75 Deleted "because...."
- 76 Deleted "it is necessary...."
- 77 Deleted "in their motive."
- 78 Deleted "have...."
- 79 Deleted "be...."
- 80 Deleted "now...."
- 81 Deleted "you know, it is not...."
- 82 Deleted "**Student:** don't you mean the *Critique of Practical Reason*? **LS:** Did I say... Practical Reason of course. Good. This much...."
- 83 Deleted "we must see where we can...."
- 84 Deleted "which is of some practical importance to you and to you. Good. Now."
- 85 Deleted "that is...."
- 86 Deleted "and says."
- 87 Deleted "now let us.... what is...."
- 88 Deleted "that is...."
- 89 Deleted "no, but."
- 90 Deleted "Kant denies that... that...."
- 91 Deleted "if."
- 92 Deleted "but, you know, but...."
- 93 Deleted "that is largely."
- 94 Deleted "because... what...."
- 95 Deleted "we have to praise God...."
- 96 Deleted "one... I mean."
- 97 Deleted "is Latin...."
- 98 Moved "well."
- 99 Deleted "which."
- 100 Deleted "if."
- 101 Changed from "now, let us take... consider."
- 102 Deleted "how is this...."
- 103 Deleted "of what...."
- 104 Deleted "it."
- 105 Deleted "as...."
- 106 Deleted "now, let us first consider the thesis... the initial thesis again. Only the... Yes?"
- 107 Deleted "let us...."
- 108 Deleted "the good will is...."
- 109 Deleted "I do not...."
- 110 Deleted "he is good...."
- 111 Deleted "that is not...."
- 112 Deleted "is sufficient. So that... of course...."
- 113 Moved "is important."
- 114 Deleted "they are not...."
- 115 Deleted "Kant...."
- 116 Deleted "are...."
- 117 Deleted "in this...."
- 118 Deleted "what is the fourth...."
- 119 Deleted "and therefore... that...."
- 120 Deleted "that means in other terms."
- 121 Deleted "this statement."
- 122 Deleted "the most...."
- 123 Deleted "tell them on which page. **Student:** 56."

¹²⁴ Deleted “Kant....”

¹²⁵ Deleted “it is... now.

¹²⁶ Deleted “for the sake....”

¹²⁷ Deleted “practical reason....”

¹²⁸ Deleted “I mean, in other words... would not... is....”

¹²⁹ Deleted “one could....”

¹³⁰ Deleted “did you notice that....”

¹³¹ Deleted “but that... the whole argument... is [inaudible].”

¹³² Deleted “the second paragraph... no.”

¹³³ Deleted “‘Since reason is not fit in order... in order to guide the will securely regarding objects...’ do you have that? Here, alright. It starts on the page.... **Reader:** Bottom of page 57.”

¹³⁴ Deleted “well feeling....”

¹³⁵ Deleted “and that may....”

¹³⁶ Deleted “you see if....”

¹³⁷ Deleted “that.”

Session 13: May 12, 1958. *Foundation of the Metaphysics of Morals*

Leo Strauss: [in progress] —the third section of the *Foundations of the Metaphysics of Morals*, because there are many obscurities still. And next time we will turn to the second section . . . If we find the time, I would like with your help to link what we have learned from the *Foundations of Morals* with our earlier discussions about Kant's political philosophy and his philosophy of history because these things may have become obscure in the meantime, which happens to all of us.

Now I begin by repeating Kant's main thesis in his moral philosophy. The good will is the highest good. This implies that all men are equal in the decisive respect, which is the highest respect. In the older statement (Hobbes, Locke, and Rousseau), all men are equal with regard to self-preservation, and it does not make sense to say that this is the highest respect. And therefore the fundamental democratic implication of the modern natural right teaching is sanctioned by the Kantian moral teaching to a much higher degree. If men are equal in this highest respect, then obviously their equality means much more than if all men are equal in the most urgent respect, self-preservation.

Now Kant's assertion that the good will is the highest good is not obviously true. Why not prudence in the Socratic-Platonic sense? Prudence which leads over into . . . shift in philosophy, why is that not the highest thing? Especially since Kant himself emphasizes the fact that philosophy is required for protecting the good will. The fortunate simplicity, as he calls it, of the practical common sense.¹ The practical common sense, the common sense which everyone possesses, is according to Kant self-sufficient in all moral questions. You remember the example of the eight year old child? Yet this practical common sense easily drifts into ambiguity if it is not protected, and it can be protected only by philosophy. From this point of view it would seem to be that philosophy, rather than the good will itself, is the highest good. So we leave this as a question. We leave this question open, whether one is entitled to say as Kant does that the good will is the highest good. And there is one point only which I have to add, that philosophy thus understood as the protector of the good will would seem to be higher than the good will because it necessarily includes the good will. You cannot be a moral philosopher in this sense, as Kant understands it, if you do not have the good will.² Philosophy thus understood is, as it were, an expansion of the good will, but it is certainly based on it. That was Mr. Burns's point? Good.

Now what then is peculiar to the good will? What is the peculiarity of the good will which justifies Kant, at least to some extent, in saying that the good will is the highest good? The good will is the only thing which depends entirely on man himself, which is in no way a gift. The will may be a gift but the good will cannot be a gift. Kant is then concerned with isolating and enhancing what is entirely in our power. Kant could not have had this desire to isolate what is entirely within our power if men were not also dependent, if there were not things which are not in our power. Now what is the formula of this dependence? Men have needs, desires. The goal of all these needs and desires can be called happiness. Man is dependent insofar as he is concerned with his happiness. Man is by nature inclined towards happiness. The inclinations are the gifts of nature. They are given. From this it follows that the good will must be radically distinguished from all inclinations. The good will is entirely the work of man, the inclinations entirely the gift of nature.

This creates a certain difficulty, since happiness is contentedness, and there is a specific contentedness connected with the good will, as have seen last time.³ Or is there any doubt about that?⁴ That is at the end of the⁵ seventh paragraph in the first section.⁶

Reader:

For one perceives that nature here does not proceed unsuitably to its purpose, because reason, which recognizes its highest practical vocation in the establishment of a good will, is capable only of a contentment of its own kind, i.e., one that springs from the attainment of a purpose, which in turn is determined by reason, even though this injures the ends of inclination.ⁱ

LS: You see there is here a contentedness of its own kind, a specific contentedness going with the good will. So why then the radical distinction between happiness as contentedness and good will, which has nothing to do with happiness? Kant's implicit answer is this: in the case of happiness or our striving for happiness, we are primarily striving for the contentedness, whatever it may be,⁷ of our desire for pleasure, or the desire for power, whatever it may be; whereas in the case of the good will the contentedness attending the good will cannot be primarily intended if we are men of good will, but merely follows it. In this respect Kant agrees with Aristotle's analysis that⁸ the pleasure connected with virtuous action follows like a merely added end and is not the end itself. [Let us take an example.]⁹ If you enjoy mathematics, if you derive pleasure from studying mathematics, you would be a better mathematician than if you do it only under compulsion.¹⁰ But this liking¹¹, at any rate in an extremely good mathematician, is only following the activity . . . And similarly in the case of Kant here: if you are concerned with morality because you want to have the contentedness of a good conscience, then you are not strictly speaking moral, because you want this contentedness and you want the morality only as a means for that.

One thing appears in these initial remarks. The concern with morality is, in Kant, the concern with independence. Why is that so? That is obviously not necessary. Can you understand this assertion, that a man can be concerned with morality, and not be concerned with independence in the same act in the same way in which he is concerned with morality? Well, Father Buckley?

Father Buckley: Well, in the way Kant conceives of morality—

LS: But even that is difficult to understand how Kant—but I mean¹² without any reference to any other moral doctrine or any tradition,¹³ Kant gives the impression at first glance that here is a man who has been more passionately and seriously concerned with morality¹⁴ than any other moral philosopher.¹⁵ By virtue of what does he make that impression?¹⁶ There is something in Kant which justifies that impression, that Kant¹⁷ is more concerned with morality than any other philosopher, where we do not use the Kantian interpretation of morality but a commonsense interpretation of morality. Well, there is one word which occurs in the first section already and

ⁱ Immanuel Kant, *Critique of Practical Reason and Other Writings in Moral Philosophy*, trans. Lewis White Beck (Chicago: The University of Chicago Press, 1949), 58; [4:396] Hereafter referred to as "Beck."

we will come to that very soon, and that is *duty*. There is a famous apostrophe to duty somewhere in the *Critique of Practical Reason*. Duty is that which ennobles man. But what does duty mean? Is there an obvious connection between duty and independence?

Student: Taking it in an ordinary common sense way, very often a person striving for independence, for a high degree of independence, might well have very moral rules.

LS: Yes, sure. That is one part of the story. But, Mr. Burns?

Student: Duty would seem to involve almost the opposite of independence. It means subjecting yourself to something.

LS: *Obedience*. In other words, when we think of morality without any sophistication we think primarily of obedience, and not of independence, although independence may come in somehow, but it could not be the most obvious thing. And that is the problem with which we are confronted. Yes?

Student: I'm reminded of Burke's statement in the appeal from the new to the old, [when] he says, I think: Gentlemen, I implore you, if you concede that you have any obligations whatsoever, concede that they are not dependent upon your will. And Kant seems to be trying to refute that.

LS: Yes, there is a difficulty here, although it is not so simple. At any rate, one thing we see immediately¹⁸ [is that] Kant's concern with morality is not simply a concern with morality as we all understand it. There is some modifying factor, and we have to isolate that. Mr. Sacks?

Mr. Sacks: . . .

LS: But there is always the other fellow, so that is not so simple. The Talmud is such a complicated thing that you will probably find statements to different effects. There are also statements which emphasize, in the strongest possible form, the obedience. Certainly¹⁹ we must see what the specifically Kantian reasons are.

Now let us look back to Rousseau. Rousseau begins with self-preservation. Self-preservation, which is the fundamental right, requires the freedom of judging as to the proper means for self-preservation and it requires also the freedom of movement, namely, if you²⁰ are not free to move you cannot take care of your self-preservation. [This freedom must however be limited]²¹ in order to be secure because, since the same freedom is enjoyed by everyone else, there is conflict. The freedom must be limited by laws. The laws are, if they really deserve to be called laws, generalized particular wills. I have explained this often enough. I will something, it is my particular will. If I conceive of it as a will, I have to generalize it. Say, I do not want to pay taxes; [that is] my particular will. The will says there ought to be no taxes, which means it is generalized. Through subjection to such laws, men's freedom is in no way impaired. That is the Rousseauan statement.

Now Kant says as it were [that] this scheme is very good as far as it goes, but it does not provide for morality because here we are purely in the field of laws and political arrangements in the narrower sense. It does not provide for morality because its basis is self-preservation. But morality too is in need of external freedom. External freedom is required independently of any purpose, we have seen, be it the purpose of angels or [be it] the purpose of devils. This external freedom must be protected; that is to say, limited in such a way that it can co-exist with everyone else's freedom through laws to which I have given my consent. Only by virtue of such restriction am I securely free or truly free. Only by virtue of my subjection to a self-given positive law can I be truly free externally. Self-given must of course here be intelligently understood: it means I must have my say in the making of the law. Even if I was voted down—but I still have my say in that vote. And so by obeying such a law given by the citizen body assembled, I obey in a way only myself. The positive law proceeds from such acts of self-legislation, but the self-legislation itself takes place in compliance with a non-positive law which dictates that I ought to restrict my freedom in the manner indicated. The positive law says taxes should be of this-and-this kind for this-and-this kind of people; but that there should be laws generally speaking, that I should be a member of civil society, that is of course not the dictate of any positive law but of a moral law preceding logically any positive law.

This moral law we have now to consider. I cannot sincerely respect a law which is not perfectly evident to me. Now if a positive law is imposed upon me and I think it is absolutely foolish, then I can still obey it. But not because this law itself is evident to me, but [rather] because the duty of civil obedience is evident, because I say: If anyone after the vote would still follow his own will, what would happen to society? That is the evident principle, not this particular law, which may be foolish. I cannot sincerely respect a law which is not perfectly evident. My subjection to the moral law must then be preceded by my *examination* of that law. Is this clear? Because this is part of Kant's argument, which we must separate—and these of course are old thoughts, the Stoa and Plato.²² I cannot sincerely respect a law which is not evident, and therefore I must be free to examine any law proposed to me, the moral law as well, to my critical examination.

Now it seems [that] my non-subjection or my inner freedom precedes any subjection to law. This freedom must be preserved somehow in the subjection. More precisely, this freedom emerges only through the subjection. I must subject myself only to a self-given law. Do you see this important transition: from a given law which is fully evident to me and which you have freely examined, to a law which you have given to yourself? That is the crucial difference between Kant and any earlier moral rationalist. The earlier rationalist would have always said, You must have examined it, but not You must have given it to yourself. That is a crucial difference, and we must try to understand that. This freedom emerges only through the subjection to the moral law. Why is that so? Prior to subjection to the moral law, what is your status? What is your status prior to subjection to the moral law? Yes?

Student: Following your inclinations and doing things that will be useful to you in one way or another, and seeking happiness of one kind or another.

LS: In other words, you would follow only your needs and desires. That Kant presupposes, that a man who follows merely his needs or desires is premoral. The morality comes in only by virtue of a subjection to the moral law. But this subjection must be a subjection to a self-given law.

Then the question more precisely is this: Why must I not subject myself to a law given to me or imposed on me? That is the more precise question. Or more generally stated, why can there not be an imposed moral law? Now let us first speculate a bit about that before we turn to Kant's argument. Why can there not be an imposed moral law? Now who or what would have imposed it on me? I mean, there are not infinite alternatives.

Student: God.

LS: God, and/or?

Same student: Nature.

LS: Nature. So [those are]²³ really the alternatives. But why should a law imposed by God or nature oblige me? Must I not know in advance that God and/or nature are good? Could our nature not be the work of a malignant spirit, to use Descartes's expression? In that case, our natural inclinations would be evil inclinations. And from this point of view it appears that the whole tradition, the moral tradition, was "quote naïve unquote" because it dogmatically assumed that our natural inclinations are good inclinations. Do you see that? It must first be established that nature is good, or God is good, before we can accept our natural inclinations.

But how does one argue against that? How did Descartes argue? This very suspicion that our nature might be the work of a malignant spirit is the work of our reason. No devil could have created rational beings without exposing himself to the danger of being found out by his rational creatures. And this means simply [that] reason is necessarily and intrinsically right. This essential character of reason sets an absolute limit to any power, evil or good, however great, and this is tacitly accepted by Kant without any hesitation. Yet the intrinsic rightness of reason is one thing; the intrinsic rightness of our natural inclinations is an entirely different thing. We cannot begin from the assumption that our natural ends supply us with guidance. These ends need a legitimation by reason. We cannot begin with any imposed ends or with any imposed laws. Another way of putting that—and I do not now go into the question of whether this is really a valid argument because whether you can assert the intrinsic rightness of reason without asserting implicitly the intrinsic rightness of our nature, I do not go into that. I state another argument: Man is said to be directed by nature towards his end, the highest good, happiness—let us say contemplation. But if we were by nature directed towards this happiness we would instinctively strive for it and mostly reach it, because nature according to Aristotle is that which happens always or mostly. And this, that men mostly reach happiness, is obviously not true. Man can make the natural end his end and he can fail to do so. He can make a true happiness his end and he can make an imaginary happiness his end. Hence it is not the natural end as such which prompts him to choose it. What then prompts man to choose his natural end? It could only be another end, i.e., a *prior* end. Then he would choose the highest end for the sake of a lower end, because any other end can only be lower than the highest end. He subordinates the highest end to a lower end, and this is absurd. The conclusion: No end, but only a law which is not based on any preceding end, can supply man with guidance, and such a law must of necessity originate in man.²⁴

I mention now only one or two critical observations. With regard to the first argument, if reason is intrinsically right then of course the cultivation of reason is intrinsically right, [i.e.], contemplation. This in itself would justify the lower ends, self-preservation and society, without which it cannot be achieved by man. Now for Kant this way of arguing is excluded by the simple fact that contemplation proper, speculative metaphysics, is according to Kant impossible. That is this crucial argument, answered by this point.

As for the second argument, one could raise the question: Why is it impossible and illegitimate that man chooses first a lower end and that he learns, or some men learn gradually [and] slowly²⁵ that this lower end is inadequate and points to another end? In other words,²⁶ while originally the higher end is chosen for the sake of the lower end in the course of one's life, the higher end establishes itself for some men in its character as the highest end. But these are, if you wish, purely speculative remarks, meaning not based on what Kant explicitly says, although they are related to what he says. And let us turn to the reasons explicitly given by Kant.

Student: Why does Kant reject contemplation?

LS: Because contemplation means theoretical knowledge. Now what theoretical knowledge is possible according to Kant? Only of the phenomenal world, not of the thing-in-itself, as Kant calls it, or true reality. Now if there is no possibility of knowing true reality, then the contemplative life cannot be the highest life, because that is not really contemplation, that is essentially something secondary and only qualifiedly good because it is not knowledge of *the* truth, it is knowledge merely of the phenomenal world.

Same student: . . . in Aristotle, contemplation included also—

LS: In Aristotle there is no distinction between the phenomenal and the true world.²⁷ What we see here is as true as any higher thing, only the question is the rank of the various—the distinction between the phenomenal world (which is accessible to our knowledge) and the noumenal world (which is inaccessible to our knowledge) does not exist in Aristotle, nor in Plato for that matter.

But the more important consideration is the point which I tried to make and which has had a tremendous influence on thinking after Kant, namely,²⁸ to repeat, that the traditional teaching (especially Aristotle, but also the Stoics of course) assumed that man has natural ends and that these are the ends towards which man is inclined by nature. And Kant raises the question: With what right do we regard natural inclinations as good inclinations? With what right do we regard ends imposed upon us by our nature as good or legitimate? This is of course implied in present-day social science relativism. They have forgotten that, or maybe they never knew it, but that is of course implied. When you see sometimes their criticisms of utilitarianism, which is a very uninteresting form of the older view of morality, then you see—why cannot they say what they really believe? These social scientists, if they were honest or, let me say, if they would have the courage to express what they believe, they would be utilitarians: the greatest happiness for the greatest number. Why do they reject that? Why do they reject that? You are not *bound* to accept it. You are free to question, you are free to question *any* goal, however attractive or sensible that seems to be. That is fundamentally Kant's thought. It does not exist in Hume. Because²⁹ all the

traditional writing rested on the principle of the goodness of nature, but this goodness cannot be assumed, it must be established. Kant tries to establish it.³⁰ Kant's argument roughly is this: Once I know the good by the categorical imperative, by the principle of morality, then I am even morally obliged to interpret nature teleologically and therefore to regard my, our natural ends as good ends. But that can only follow the establishment of the moral principles which cannot start from the assumed goodness of either nature or God. And you can easily see that this makes the impression, just as in another way Descartes makes the impression,³¹ that here a question is raised which had not been raised before, that prior to Kant, just as prior to Descartes, philosophy had been "naïve." It has taken something for granted which must be examined. Yes, Mr. Burns?

Mr. Burns: Does this argument not rest on the idea that there is something called reason which is totally independent of nature somehow. I mean, what would be the status of reason?

LS: Yes, well, you have read Descartes once, have you not? And what do you get when you come to such-and-such? You come to universal doubt, and then you discover the thinking ego—thinking in the widest sense where it means really consciousness, not thinking in the strict sense. But consciousness, human consciousness, is characterized by having within itself reason. And it is this reason which liberates [Descartes]ⁱⁱ from the doubt by the discovery that the deceiving spirit would have—well, could necessarily be found out provided you are sensible.³² In other words, if you are incautious he will deceive you all the time, but if you are on your guard, if you know that your will extends further than your judgment, once you know that you are safe in principle. So here at this stage you know only the rightness of reason and nothing else. You know the rightness of reason. And then you have to establish a new argument starting from the rightness of reason, establishing the goodness of nature.³³ This order of the argument follows from Descartes's doubt.

Student: I wonder whether Plato did not do something of the same thing, that in a way, by insisting on judging everything, even nature, in terms of whether it meets the criterion of rationality?

LS: I do not see with what right one can say that. But you may be right. Let me give you an example. You must not forget that³⁴ the notion of the questionable goodness of nature is of course underlying modern thought in every respect. The simple notion of conquest of nature, what does it mean? You conquer an enemy, not a friend.³⁵ Or if you say control of nature, which has the same meaning, something that needs control.³⁶ At the end of the seventeenth century, Pierre Bayle, an acquaintance of Locke, said that natural reason would lead to the result that there are two principles governing the world: a good principle, and an evil principle independent of the good, that is to say, Manichaeism,³⁷ the old dualistic doctrine.ⁱⁱⁱ That is only a figurative expression of the same thing which the expression "conquest of nature" clearly means. One finds the first traces of this view in the modern sense, meaning nature as something to be conquered by something in man,³⁸ already in Machiavelli. The difficulty³⁹ is obvious, for⁴⁰ where does the conqueror come from?

ⁱⁱ Strauss says "Kant," evidently in error.

ⁱⁱⁱ Pierre Bayle (b. 1647), French philosopher and author of the encyclopedic *Historical and Critical Dictionary* (1697).

Student: Nature.

LS: Sure, that is the difficulty.⁴¹ One must say that this reason is in a very strange way the free creation of man.⁴² Hobbes tried to do that: If reasoning comes into being only by virtue of symbols, signs, words, or numbers, that is to say by virtue of artifacts which are clearly of human origin, then that which precedes the making of these symbols is not yet reason.⁴³ But that of course does not dispose of the difficulty. How come man is capable of making these signs? . . . I remember another example in one of the novels of Melville, some preacher on a boat on the Mississippi, I believe, speaks of the goodness of nature and [says] look at the beauty of nature—and your eyes, you can see. And the man to whom he says this is indignant about this “quote optimism unquote” and says “I don’t owe my eyesight to nature, I owe it to an oculist in Philadelphia,” because he was born with very poor eyes.^{iv} That is of course a very crude example, but it has something to do with this general notion of the questionable goodness of nature.⁴⁴ Here in this case it is fairly easy to show the problem with this argument, because what did this oculist do? He imitated nature. Nature was accidentally deficient in this particular case, and this deficiency could be found out only by looking at the normal human being. So in other words, all correction of nature presupposes nature as the standard.

But however this may be, to come back now to the more fundamental question: for Kant the goodness of the inclinations must be established. But this is now what Kant explicitly says, at least in the part which we have discussed. What he explicitly says in the Preface to the *Foundations to the Metaphysics of Morals* is this:⁴⁵ the moral law cannot be derived from nature, i.e., from man’s nature, because it must apply to all rational beings. And therefore it could be derived, if at all, only from reason but not from man’s nature, because the only thing we know in advance, so Kant assumes, is that the moral law is the rational law. But it cannot be derived from man’s nature. Also, the law cannot be derived from the natural end of man if that end is conceived to be happiness, because of the radically subjective character of happiness. Happiness means something to one man and something entirely different to another, and it even means very different things to the same man at the same time. For example, if he is suffering from an illness, a very severe and painful illness, he finds his happiness in relief from that illness and in nothing else, and⁴⁶ [after] he is healthy for some time he forgets about it and then some other end, say a good meal, comes in, and so on and so on. In other words, Kant simply accepts here the Hobbes-Lockean notion of the complete subjectivity of happiness. That is nothing particular [to Kant].⁴⁷

I would like to refer only to one passage. Go on [reading], then.

Reader:

Rather their judgment is based on the idea of another and far more worthy purpose of their existence for which, instead of happiness, their reason is properly intended, this purpose, therefore, being the supreme condition to which the private purposes of men must for the most part defer.^v

^{iv} Herman Melville, *The Confidence Man* (1857).

^v Beck, 57; [4:396]

LS: What are these private purposes? Private intentions would be a more literal translation.^{vi} What is that private purpose, that private intention of man?⁴⁸ Happiness. You see, that is very interesting. It shows you immediately the connection with Rousseau. The concern with happiness is a private intention. The particular will, in Rousseau's language. Whereas the concern with morality is *public*. Public—I mean, the opposite to private is public. Here you see how close Rousseau is to Kant.⁴⁹ One can also state it as follows.⁵⁰ The concern with happiness is fundamentally selfish, morality is fundamentally unselfish. But unselfish in this more precise sense: directed towards the others, but the others understood as a whole, not just mere kindness to the first man you meet. Public, social, as distinct from private.⁵¹ Because the categorical imperative of course explicitly states this sociality, publicity, universality⁵² as opposed to the private. That is a clear indication of the meaning of Kant's doctrine, but only an indication.

Now let us turn to Kant's analysis of the good will.⁵³ Kant analyzes the good will here not as the good will simply, but as the good will must appear in a being where the good will finds resistance within the being. Now in such a being the good will appears as duty, as some coercion which man has to exercise against himself. So the analysis⁵⁴ of the good will is here the analysis of duty, and Kant proceeds in three steps. The first step is that action from duty is fundamentally to be distinguished from action from calculation and from action from inclination.⁵⁵ What is, then, immorality? In the first place, to do the wrong thing, say, to murder. But that is not enough, not to commit murder.⁵⁶ The other moral defect is to do the right thing not because it is right but for ulterior reasons. The example which Kant gives is the honest merchant who treats everyone honestly because honesty is the best policy and for no further reason.⁵⁷ The right thing is to do the right thing because it is right and *for no other reason*. For no other reason. For example, a case which Kant discusses: if someone does the right thing out of inclination, for example, it is man's duty to help his neighbors, but some people do that because they are tender and gentle. That is not sufficient according to Kant and you see when you read this discussion.⁵⁸

Reader:

To be kind where one can is duty, and there are, moreover, many persons so sympathetically constituted that without any motives of vanity or selfishness they find an inner satisfaction in spreading joy and rejoice at the contentment of others which they have made possible.^{vii}

LS: No, that is not [right]: insofar as they have made it possible. That's very important. Kant casts here some suspicion on the motives of the gentle souls, that⁵⁹ they are kind because that to quote Nietzsche, is a form of the will to power. That happens.⁶⁰ And then he gives an example of a man who is not kind by nature at all, and is even in a situation in which men in general would not be kind because [he is] in very great troubles and difficulties and, at the end,⁶¹ in this situation where no⁶² selfish motive whatever could possibly affect it, he pulls himself together and helps. Here is a clear case where a man does the right thing because it is right and for no other reason.⁶³

^{vi} “*Privatabsicht*.”

^{vii} Beck, 59; [4:398]

Let us consider a third case which Kant does not express here: to do the right thing because it is right and because the consciousness of its rightness makes us do it gladly. Kant does not deny the possibility of that. But he contends that this gladness does not increase the moral worth of the action. For if I do the right thing for the sake of the gladness deriving from my doing it, I do not act morally, for I am motivated not by rightness but by gladness. That is an important part of Kant's argument. Perhaps we read the paragraph preceding the one about kindness. "To preserve one's life is a duty."

Reader:

On the other hand, it is a duty to preserve one's life, and moreover everyone has a direct inclination to do so. But, for that reason, the often anxious care which most men take in it has no intrinsic worth, and the maxim of doing so has no moral import.^{viii}

LS: Is this intelligible, what Kant says?⁶⁴ Do you respect a man who is a valetudinarian and [whose]⁶⁵ chief concern is to preserve his life? Obviously not. So while it is a duty to preserve one's life, this tremendous preoccupation has no moral worth because it depends entirely on mere inclination.

Reader: "They preserve their lives according to duty, but not from duty."

LS: You see, that is the distinction between legality and morality. It is legal what they do, I mean legal in the sense of the moral law, but it is not moral.

Reader:

But if adversities and hopeless sorrows completely take away the relish for life; if an unfortunate man, strong in soul, is indignant rather than despondent or dejected over his fate and wishes for death, yet preserves his life without loving it and from neither inclination nor fear, but from duty—then his maxim has a moral import.^{ix}

LS: In other words, this is a clear case of a purely moral action, where no inclination or passion in any way enters.⁶⁶ If we take this valetudinarian,⁶⁷ here there is an inclination which is generally in harmony with the moral law, but this inclination is not an inclination to the moral law. An inclination to the moral law is according to Kant impossible, because inclinations are essentially variable and particular, not universal and invariable; whereas the rule of duty is universal and invariable. Inclinations are subjective, radically subjective. Duty is objective. And therefore there cannot be an inclination to the moral law as moral law. This is the first point which Kant makes.

And the second one is: action from duty does not derive its worth from the result intended or from the end in view. In other words, if you see someone helping the poor, it is not helping the poor which makes the action moral, because every end, for example to help the poor, can be pursued also from calculation, say, to become well-known as the benefactor of the poor. Or it

^{viii} Beck, 59; [4:397-398]

^{ix} Beck, 59; [4:398]

can be pursued from inclination: people cannot [stand to] see suffering and therefore they give. That is not moral, that is just, that is (how shall I say it?), it is an action which we would approve of because it is beneficial but it is not in itself a moral action. Or differently stated: the action from duty cannot derive its moral worth from the result intended or the end in view, because the goodness of the end must first be established. If I say helping the poor is good—it's a duty, it is good—how do I know that? That people generally believe so does not prove it. That must first be established and it can only be established if there is a law, a moral law, to that effect, and only the obedience to that law makes my action a moral action. Not the ends pursued by an action, but the maxim according to which it has been decided upon,⁶⁸ gives it moral worth, and this means obedience to the law.⁶⁹ Are these two points clear? Father Buckley?

Father Buckley:⁷⁰ The obvious objection to that would be that why would the moral law command being kind to the poor rather than kicking them in the face? Why is one better than the other?

LS: Why is it so, according to Kant?

Father Buckley: Well, that's what I'm worried about.

LS: Yes, but still, do you not know at least the verbal formulation of Kant's answer?

Father Buckley: Well, universal law, that fact that your action can be made into a universal law, but then again you are getting into—I mean, the fact that being good to the poor can be a universal law and being mean to them cannot be, I do not see where this is understandable except in terms of the effect it is going to have.

LS: Well, of course Kant would probably say you cannot speak of goodness to the poor as a particular case, you have to enlarge that. And then it means other people's happiness, and obviously⁷¹ to be concerned with other people's happiness means in the case of the poor to help them with gifts. This would not necessarily be the case with non-poor people. So the question arises then: Can the principle, the maxim "The public be damned," or "I do not give a damn for other people's happiness"—can this be universalized? That would be the question. Can there be a law [that] men ought not to be concerned with other people's happiness? That is to say, whenever you are concerned with it you are acting immorally. Is this rationally possible? We come to that later.⁷²

This argument is leading up to the categorical imperative. Morality cannot be identical with calculation or with inclination, nor can it derive its goodness from the end as such. But one point I think he has to admit. Since the same end, say, helping the poor, can be achieved by immoral [inclinations], say, in order to get a reputation, it cannot be the action as action. It must also be the motive, but you would of course take both together to do the right thing in the right spirit. What Kant is driving at⁷³ is this: that the right spirit alone would be productive of the right thing. That is the question. And therefore Kant can say [that] the right spirit, i.e., the good will, is identical with practical reason, as he will say later on; whereas from any other point of view you must make a distinction between⁷⁴ the good will, the right spirit, and practical reason, which tells you what the right thing is. Sure. But we must see how it comes out.

Now⁷⁵ after having made these negative determinations, Kant makes a positive assertion a bit later, what he calls a third proposition, which is a conclusion from the two preceding ones: duty is necessity of an action from respect for the law. An action is moral only if, and only if, it is motivated by respect for the law.⁷⁶ I cannot respect, Kant says, the effects of my intended action. Let that effect be the well-being of a friend. I cannot respect that; I can be pleased with that,⁷⁷ [but] I cannot respect any effect of the will. I can respect only the activity of the will itself. In other words, I can respect only that which gives life to an action. I cannot respect any effect or result.

Perhaps we read that in this third proposition.⁷⁸

Reader:

The third principle, as a consequence of the two preceding, I would express as follows: Duty is the necessity of an action done from respect for the law. I can certainly have an inclination to the object as an effect of a proposed action, but I can never have respect for it precisely because it is a mere effect and not an activity of the will. Similarly, I can have no respect for any inclination whatsoever, whether my one or that of another; in the former case I can at most approve of it and in the latter I can even love it, i.e., see it as favorable to my own advantage. But that which is connected with my will merely as ground and not as consequence, that which does not serve my inclination but overpowers it or at least excludes it from being considered in making a choice—in a word, the law itself—

LS: “the mere law.”

Reader:

[the mere law] can be an object of respect and thus a command. Now as an act done from duty wholly excludes the influence of inclination and therewith every object of the will, and nothing remains which can determine the will objectively except the law and subjectively except the pure respect for this practical law. The subjective element is the maxim that I should follow such a law even if it thwarts all my inclinations.^x

LS: Let us stop for one moment and see whether we understand that, because we must not forget our problem. We have to understand why the good will and nothing else is the highest good. And Kant is now beginning to give us his answer. He indicates the answer already by making the distinction between the activity of the will and any effect of the will. The effects of the will⁷⁹ are of necessity, according to Kant, of a lower rank than the activity of the will. That is part of the story. I can only respect, Kant says here, the ground of my will—the ground of my will, not the effect of it. Now the ground of my will is the law, the moral law. But here a difficulty arises: If the law, the moral law, is the ground of my will, if the moral law is that which makes my will a good will, is not the law then the highest good? Because⁸⁰ in having a good will I subject myself

^x Beck, 61-62. The reader accepts Strauss’s emendation to the translation and reads “the mere law.” [4: 400]

to the moral law; I regard the moral law as higher than my will. Must then not the moral law be the highest good?⁸¹ The good will is the will determined by the law, conditioned by the law, dependent on the law. How then can the good will be the highest good? There is only one answer possible: the law must be the same as the good will. That is a wholly unintelligible proposition, but necessary to make, and we must try to understand it.

How could this be understood? Perhaps the law is only *qua* willed, so that it cannot be without being willed,⁸² and being willed it is willed by the good will. Good will and law are identical—

[change of tape]

—this much is clear already at this point.

Now let us see. In this passage which we just read there is also another one: the good will is the subjective principle, Kant says. And yet the good will is the highest good. Yet this highest good has its ground in the law as the objective principle, which again means that the law ought to be the highest good. But Kant does not say it of the law but he says it of the good will.

Let us read a bit later in the next paragraph.⁸³

Reader:

Thus the moral worth of an action does not lie in the effect which is expected from it or in any principle action which has to borrow its motive from this expected effect. For all these effects (agreeableness of condition, indeed even the promotion of the happiness of others) could be brought about through other causes and would not require of the will of a rational being, while the highest and unconditional good can be found only in such a will. Therefore, the pre-eminent good can consist only in the conception of the law in itself (which can be present only in a rational being) so far as this conception and not the hoped-for effect is the determining ground of the will. This pre-eminent good, which we call moral, is already present in the person who acts according to this conception, and we do not have to expect it first in the result.^{xi}

LS: You see, that confirms what I tried to show you: the good will is determined by the conception of the law. Now conception does not mean here the concept. The German is *Vorstellung*. One could say the good will is determined by the law as thought—the law as thought. Of course by law as not-thought it could not be determined. The law is only as being thought; it does not exist outside of being thought. And what Kant seems to imply here is that it cannot be thought without being willed. Now let us try to understand that.⁸⁴

Let us start from the primary impression. The law is above the will and is above human thought. Morality requires, then, as an indispensable but perhaps not as a sufficient condition, that we know the law as law. How else could we obey it? But to know the law as law means to know my being subject to it, and to know my being subject to the law means to respect the law. But to

^{xi} Beck, 62, parentheses in Beck; [4:401]

respect the law means to will it. To know the law as law and to will it are identical. This raises of course the very great difficulty: How can there be a bad will? Because we⁸⁵ cannot call a bad will a will which is wholly unaware of the law. That would be a bestial will and not a bad will.⁸⁶ That is a long question which we may perhaps take up at a later occasion. It is very obscure, the status of the bad will.

But we have to consider a few more passages to have all the evidence together which is available here in this section. Now we come here to a long note on the sentiment of respect. Father Buckley?

Father Buckley: What is in this point then that the problem of duty, as opposed to independence, two seemingly opposed things, would come together—

LS: Absolutely.

Father Buckley: . . . that knowing it means to be subject to it, which is the same as willing it.

LS: Yes. Knowing my subjection means to will it and thus to create the subjection. That is what I am driving at.

Student: Is this not what Hegel makes explicit in his *Philosophy of Right*?

LS: Yes, one could say—yes, surely. Hegel—this principle of Kant’s is exactly like that, but only Hegel thinks that the formalism of Kant is impossible, for reasons which we may discuss later. Yes, that is correct. Now we should now read this long note on the sentiment of respect, in German, *Achtung*. Respect; one could almost say reverence. At any rate, respect taken in the full sense, that is the meaning. Now let us read that slowly.

Reader:

It might be objected that I seek to take refuge in an obscure feeling behind the word “respect,” instead of clearly resolving the question with a concept of reason. But though respect is a feeling, it is not received through any [outer] influence but is self-wrought by a rational concept;

LS: In other words, we produce [it]. Reason in us produces the feeling of respect.

Reader:

thus it differs specifically from all feelings of the former kind which may be referred to inclination or fear. What I recognize directly as a law for myself I recognize with respect, which means merely the consciousness of the submission of my will to a law without the intervention of other influences on my mind.^{xii}

^{xii} Beck, 62n, parentheses in Beck; [4:40n]

LS: You see here—let’s stop for one moment. If one approaches Kant entirely from the outside and surrenders to the suggestions of his severe moralism, one understands immediately, I think, the notion of a subjection to a law or obedience to the law. And the difficulty is to understand how this subjection to the law must be understood as self-legislation. That is the entirely new thing. Self-legislation must not be mistaken for something⁸⁷ of which Aristotle and the Stoics speak and which they meant by autonomy, where it means that you understand, have full understanding of the reasonableness of the law to which you submit—for that goes very well with the thought that this law does not originate in you, but in Kant the emphasis is on the origination in the subject. Now let’s go on.

Reader:

The direct determination of the will by the law and the consciousness of this determination is respect; thus, respect can be regarded as the effect of the law on the subject and not as the cause of the law.

LS: Kant says this in order to reject the opinion that the law can have its origin in a feeling. That is the reason why he says that. The respect is only the subjective reflection of the acceptance of the law.

Reader:

Respect is properly the conception of a worth which thwarts my self-love. Thus it is regarded as an object neither of inclination nor of fear, though it has something analogous to both. The only object of respect is the law, and indeed only the law which we impose on ourselves and yet recognize as necessary in itself.^{xiii}

LS: You see, both. We impose the law on ourselves and yet is in itself necessary. Both are there. In other words, the intrinsic necessity would not be sufficient.⁸⁸ It must originate in us at the same time.

Reader:

As a law, we are subject to it without consulting self-love; as imposed on us by ourselves, it is consequence of our will. In the former respect it is analogous to fear and in the latter to inclination.^{xiv}

LS: ⁸⁹The good will is the ground of the law, [as] we have seen. Therefore, and therefore only is the good will the highest good.⁹⁰ To repeat: the assertion with which Kant begins, that the good will is the highest good, implies already the self-legislation. Otherwise law would have to be the highest good. That is absolutely necessary.⁹¹ The good will consists in imposing the law on oneself. The good will is the highest good because the good will consists in legislation, not in obedience to the law merely, but in giving the law. Otherwise the good will could not be the highest good.⁹² The best neo-Kantian, Cohen, in his *Ethics* writes: “the pure will is the law of the

^{xiii} Beck, 62n. [4:401n]

^{xiv} Beck, 62n. [4:40n]

will.”^{xv93} That is I think strictly what Kant means. The pure will and the good will are the same thing.

At the end of the *Critique*⁹⁴ of *Practical Reason*, the conclusion, there is a famous remark which has been so frequently quoted: that there are two things that fill the mind with ever-new wonder, “the starred heaven above me and the moral law within me.” Now that is of course in a way perfectly intelligible that he uses the two different prepositions, above and within; and yet it is more than mere trivia that Kant does not say “the moral law above me.” That it is possible to say that is proven by Plato’s simile: there is heaven and there is something super-heavenly, as Plato says it. So Kant could well have said “the heaven above me, but the moral law still above heaven.” But he does not say the moral law above me, but “the moral law within me.” And⁹⁵ in this the good will is the highest good only if the law with which the good will complies, is grounded in the good will.

Now you have seen in this note which we read, “insofar as we are subject to the law we have a feeling analogous to fear; insofar as we have imposed the law on ourselves we have a feeling analogous to inclination.” Does this remind you of an older thought with which Kant was of course thoroughly familiar? Did not people speak, long before Kant, of a mixture of feelings which has an analogy to fear and to something opposite to fear?

Student: The biblical tradition, with the love of God and the fear of God.

LS: Sure, exactly. That is, in a weakened form, what Kant has in mind. In other words, what was in the biblical tradition the feeling with regard to God becomes here the feeling with regard to the law, to the moral law as a self-given law. So I think the law within us, the self-imposed law, takes the place of God. That one can definitely say, although Kant admits the existence of God, and the postulate of the existence of God plays a considerable role in Kant, but yet that is derivative from this fundamental point now made.⁹⁶ That is implied in this simple, innocent-looking proposition: the good will is the highest good.⁹⁷ In other words, Kant is one of the most important thinkers in modern times contributing to the radical emancipation of man, and that is in a way much more powerful and influential than what people like Machiavelli and Hobbes did, because it is not something low—self-preservation, survival, control of nature, and this kind of thing—but it concerns *morality itself*, morality itself as understood in this way. And that I think cannot be emphasized too strongly. That is no longer an interpretation of morality as it was always understood; that is an interpretation based on very specific premises, the premises of modern philosophy which give morality an entirely new meaning. And all these formulations which have become so familiar—self-determination, self-realization, and what not, they all stem from here. That is quite, quite remarkable.⁹⁸

Is this point now clear, the crucial implication of this proposition [that] the good will is the highest good? To repeat: it implied necessarily that the law, the moral law, cannot be above the good will. That is decisive.

^{xv} Hermann Cohen (b. 1842) was one of the founders of the Marburg school of neo-Kantianism and also one of the most important Jewish philosophers of the nineteenth century. Strauss is presumably referring to his *Kant's Begründung der Ethik* (1877).

Now after having established this point to his satisfaction, Kant raises a question: What is that law? Up to now we have spoken only of duty, law, respect, in general, and we did not know what that law is. And Kant in the next paragraph gives the first answer to that question. Let us read that.

Reader:

But what kind of a law can that be, the conception of which must determine the will without reference to the expected result? Under this condition alone the will can be called absolutely good without qualification. Since I have robbed the will of all impulses which could come to it from obedience to any law, nothing remains to serve as a principle of the will except universal conformity of its action to the law as such.^{xvi}

LS: No, no. More precisely:

Since I have deprived the will of all incentives which could arise from compliance with any law, nothing remains except the general legality of actions all together.⁹⁹ [*Gesetzmäßigkeit*: legality—LS] Which alone should serve as principle to the will, i.e. I should never act differently except so that I can also will, that I can will simultaneously, that my maxim should become a universal law. Here is only the mere legality [perhaps I should say lawfulness, to obviate misunderstanding—LS] here the mere lawfulness as such, without assuming a law directed towards specific actions, is that which serves the will as principle¹⁰⁰ and must serve as a principle if duty is not to be an empty delusion and a chimerical concept.^{xvii}

And Kant contends that common sense absolutely agrees with this notion.

Now is this proposition itself intelligible? I think it is a necessary consequence that the law is not imposed on us by God or nature. Hence the law cannot be derived from anything. The law is absolute in this sense, irreducible. But what can it be? What can it be? What do we know of it? We know only one thing, that the moral law is the rational law. You can say: How does Kant know that? And you can also say [that] here he simply follows the tradition, but assuming that the moral law must be the rational law and it cannot have any content as such, it then can consist only in the *form* of rationality, i.e., unconditioned universality. And that means in practical terms [that] I act morally if in acting I can will that the maxim of my action can become a universal law. And this sounds extremely far-fetched, but Kant contends, and not without reason, that common sense agrees with that. I would agree with Kant that it agrees with common sense to some extent.¹⁰¹ If we look around at ourselves or others, in what does immorality frequently consist? Not in a rejection of what we consider to be the moral law but in making oneself at this particular moment an exception from it.¹⁰² That means I act on a maxim which cannot be universalized. Only now, for me, at this particular moment of temptation, that is the maxim on which I act if I act immorally. And that cannot be universalized because it is meant to be applicable only to me now or maybe even applicable to me throughout my life. But still it is an

^{xvi} Beck, 62-63; [4:402]

^{xvii} Strauss's translation.

exception. And to an extent it is true that all immorality consists in taking a brief vacation for oneself from the moral law, and this brief vacation is incompatible with no vacation, [i.e.], universality. Up to this point Kant is right when he expresses this . . . In other words, it is not so far-fetched.

Very frequently, when we discuss¹⁰³ actions, it occurs—I do not know what the equivalent in English is, but in German the German people say “*Da kann ja jeder kommen*,” “Anybody could make this proposition.”¹⁰⁴ You make a proposition, and the reply is: Well, *anyone* could make that. And then you see the absurdity . . . What would be the equivalent in English? There must be a colloquial expression in English for that.

Student: “What would happen if everybody did that?”

LS: Yes, that’s it. And that is without any question a very important consideration¹⁰⁵ to which we refer, and that is simply, in colloquial, common sense terms, what Kant stated as a principle and therefore in “quote abstract” terms.

Student: . . .

LS: I think we take this up later. In this case, I believe one can say that in this case, both A is B and A is non-B can be universalized without any difficulty . . . Now for example,¹⁰⁶ you act on the principle [that] you would like to eat candy . . . and that is your maxim, and another makes the maxim to smoke from time to time. Both can be universalized without any contradiction. I think that I worked this out in my last seminar on Kant but I forget it now. I think it is something of this kind. The point is, the . . . actions by out by . . . if a maxim can be universalized, can it be universalized by its opposite, that is morally indifferent. But if only one can be universalized and not the opposite, then only the universalizable one is the moral one. That is very easy.

But in order to see the difficulty let us turn to Kant’s first example, which is one of these simple eight year old child examples. Now let us read it.

Reader:

Let the question, for example, be: May I, when I distress, make a promise with the intention not to keep it? I easily distinguish the two meanings which the question has, viz., whether it is prudent to make a false promise, or whether it conforms to my duty. Undoubtedly, the former can often be the case, though I do see clearly that it is not sufficient merely to escape from the present difficulty by this expedient, but I must consider whether inconveniences much greater than the present one may not spring later from this lie.

LS: So Kant did give some thought to the technicalities of immorality.

Reader:

Even with all my supposed cunning, the consequences cannot so easily be foreseen. Loss of credit might be far more disadvantageous than the misfortune I now seek to avoid, and it is hard to tell whether it might not be more prudent to act according to universal maxims and to make it a habit not to promise anything without intending to fulfill it. But it is soon clear to me that such a maxim is based not only on an apprehensive concern with consequences.

To be truthful from duty, however, is an entirely different thing from being truthful out of a fear of disadvantageous consequences, for in the former case the concept of the action itself contains a law for me, while in the latter I must look about to see what results for me may be connected with it. For to deviate from the principle of duty is certainly bad—

LS: That is not strong enough. Evil or wicked would be the least. *Böse*. Bad means something morally neutral. Evil or wicked.

Reader:

For to deviate from the principle of duty is certainly [evil], but to be unfaithful to my maxim of prudence can sometimes be very advantageous to me, though it is certainly safer to abide by it. The shortest but the most infallible way to find the answer to the question as to whether a deceitful promise is consistent with duty is to ask myself: Would I be content with my maxim (of extricating myself from difficulty by a false promise) should hold as a universal law for myself as well as for others? And I could say to myself that everyone can make a false promise when he is in difficulty from which he otherwise cannot escape? I immediately see that I could will the lie but not a universally law to lie. For with such a law there would be no promises at all, inasmuch as it would be futile to make a pretense of my intention in regard to future action to those who would not believe this pretense or—if they overhastily did so—who would pay me back in my own coin. Thus my maxim would necessarily destroy itself as soon as it was made a universal law.^{xviii}

LS: Yes, but is this . . . And then Kant says, therefore: Well, that's it; that is the solution of the moral problem. . . . some compassion. What is the difficulty?

Student: Well, it is the same problem I was trying to raise before. It seems that the only reason why this can't be universalized is that it would be so inconvenient to everybody.

LS: It would?

^{xviii} Beck, 63-64. The reader accepts Strauss's emendation to the translation and reads "evil." [4:402-403]

Same student: I mean, because if I couldn't trust anyone else's promises, it would be almost impossible to live, to trust anybody who told me anything at all. In other words, it seems to me to be the same as Hobbes's argument for self-preservation . . . we have to do certain things, otherwise life would be impossible with each other. And Kant had already thrown that out.

LS: In other words, you contend that the concern for happiness illicitly enters. Yes, we must take this up when we come to the second part because there the examples, at least two of them, are explicitly based on happiness, and therefore we must see with what right can Kant possibly do that. And that certainly raises great difficulties. Mr. . . .?

Student: . . .

LS: Because that Kant knows in advance, on the basis of the common moral understanding, that calculation is not morality. That he knows.¹⁰⁷ That is presupposed by Kant, and then he would say that here this moral common sense agrees with him. The merchant who is honest and doesn't cheat even a small child can be assumed to do it because that pays, and a man who¹⁰⁸ acts only because it pays is still better than a murderer, but he is not moral as such. That I think Kant assumes.¹⁰⁹ Then he says: What is a moral man? A moral man obeys the law because it is a law and does not worry about any consequences. And therefore the question is only [this]: What kind of law can it be if it cannot be connected with human nature? And then he reaches this conclusion.¹¹⁰ The difficulty which you had, Father Buckley, is this: how funny that this moral law, which has no consideration whatever for any consequences, is exactly what the doctor ordered for the patient. Sure. In other words, the real motive, one could say of this, why universalization is so reasonable, namely, man's sociality comes out as a consequence of the mere rationality. Yes, that one can very well say. Someone else wanted to ask a question.

Student: I have a very simple question. Why does he say that because there can't be trust in some cases there will not be trust in all cases? It seems to me that it isn't simply so, because—

LS: Yes, that would be prudential. Kant admits that. Kant says prudence would dictate be honest because the complications of dishonesty are so great that it is—he says this, that merely prudence would dictate honesty. Kant claims that. He . . . that. He discusses the technicalities of dishonesty and finds them terribly inconvenient but, Kant says, that has nothing to do with the moral issue. The moral issue can be found out only¹¹¹ by considering¹¹² this maxim, [that] every man is entitled, in distress, to make false promises. And¹¹³ since this is extremely subjective—what you regard as being in distress is entirely different from another man; therefore the consequence will be that you encourage universal dishonesty. Can you will that? Kant says no. Mr. Cropsey?

Mr. Cropsey: It looks as if Kant doesn't go much so against the grain of his argument as it appears. Apparently all he is trying to do here is what he says in the next paragraph, that without quitting the moral knowledge of common human reason you will arrive at these principles. Apparently all he wants to do is to show that no matter how you start, whether you start from assumptions or from an everyday human being, you still come back to the categorical imperative. It is not an argument from the prudential value.

LS: Surely not.¹¹⁴ If it were a prudential argument Kant would be absolutely destroyed.¹¹⁵ Either it must be understood as a non-prudential argument or [it] makes no sense.¹¹⁶

Hegel, in his criticism of Kant's moral philosophy, sometimes gives a very crude version and puts it this way: that Kant's pure formalism amounts to [the fact] that you can will something without contradicting yourself. That is a somewhat unfair formulation, I would say. It means this: Hegel says, for example, that there should be property or, say, private property, and that there should be only common property. [Each contention can be maintained without self-contradiction.]¹¹⁷ [But] once I accept private property, then I contradict myself if I establish a principle incompatible with it, and vice versa. In other words, before¹¹⁸ the mere formalism can be given, you must accept something non-formal. That is what Hegel is driving at by this argument. I think it is also unfair to leave it at this presentation of Hegel's argument because he goes somewhat deeper. In this particular case one could very well say [that] Kant could very well defend himself against Hegel, and say this: Of course I make already a stand, namely, I want to make a false promise, and then I see whether this can be universalized. [What Kant contends is that the matter comes in by this material maxim]:¹¹⁹ Kant knows it cannot be purely formal. But the matter comes in from the maxim. But what makes the maxim moral is not the matter, but its formal character of universalizability. And in this case the matter is promises, promising in order to get out of trouble, and I assume that this is a wise thing because I act on it, but I add the specific qualification . . . and then I see. In other words, I assume from the outset that a world in which promises are impossible is not a world in which one could live. That is Kant's point. That I assume, and then my universalization shows me that my maxim does not stand the test of universalization. That is the point. Every criminal¹²⁰ thinks this matter whether he says so or not; by his actions, he expresses a maxim. For example, the maxim that if I want to go to the pictures and don't have any money, I rob the first bank for my means. Of course you can state it in more general terms: If I need money I get it by hook and by crook. That is the maxim from which everything starts. But why is he a crook? Because he leaves it at the naively arising maxim without reflecting on it. What does a reflection mean, a moral reflection? He universalizes it. Everyone, when he is in trouble,¹²¹ when he needs money, should try to get it by hook and by crook. And the question is: Can he will that? I mean, regardless of what he says, because he may be a great fool. But it would of course mean that the next person who wants money should rob him and that he should wish that. That, I think, is what Kant means. *That* he cannot possibly wish. His actions mean [that] *I* may rob if I need money but that others should not rob.¹²² I do not believe the difficulty lies in this point.¹²³

The difficulty is rather¹²⁴ the extent to which the overall principle underlying all maxims is happiness, because in this case of the man who sees his happiness in the fact that he can go tonight to the pictures, the means for happiness would be money; and he adds therefore the maxim, In order to get [money]¹²⁵ to pursue my happiness, I may use any means which I believe are conducive to it. Now this principle, this way of reasoning, presupposes a being which pursues happiness, i.e., *not God*.¹²⁶ I believe the difficulty would come up at this point. Kant wants to get principles which are equally applicable to all rational beings, including God, but since the maxim of happiness enters any human maxim which is to be universalized, is not by this very fact any universal law, i.e., a law which survives the test, relative to man? That I believe is the difficulty.

Student: . . .

LS: Oh no. How could you act at all? No. How do you get any guidance if you do not reach such material conclusions as “promises must be kept”?

Same student: . . .

LS: But Kant will never achieve what he wants unless he gets identical rules of justice applying to God as well as to man.

Same student: What does he mean in general?

LS: In other words, the rule [that] promises must be kept would apply equally to any rational being, i.e., to God as well as to man.¹²⁷ You see, the rule is derived from human situations, beings pursuing happiness, [and] therefore compelled to make promises . . .¹²⁸ While it is true that it is not the matter which constitutes the morality of the action but its form, universality, yet the law which comes out by that, namely, promises must be kept, must of course be obeyed.¹²⁹ We [will] come to that when we read the second part.

Student:¹³⁰ Saying that the moral law means following maxims which can be made a universal law, which are consistent with a universal law, [does that] mean that the universal law in a sense rules over the action in that the real job of morality is to discover, like the traditional formulation of morality, i.e., to find out what a universal law or set of laws is, which exist independent of our world? That means the will is only active in dictating obedience to an already existing principle—

LS: That is, you can say the traditional view, but it is not the Kantian one.

Same student: Isn't that what the formulation of the Kantian view leads to?

LS: No, for the simple reason that in this case the good will could not be the highest good. The good will would be simply subject to the law, and the law would be the highest good. And then of course one could not even say that, one would have to ask for the ground of the law.

Same student: Wouldn't these examples equally well—

LS: Yes, but that is no longer Kant.¹³¹ That is something else.¹³² And I think that is in the spirit of Hegel, although Hegel does not ever actually say it.

Now what about this principle?¹³³ The question here is to universalize the maxim that I want to make a promise with the intention not to keep it. Is it so simple? I mean, in a crude way it is perfectly correct: a man who makes promises with the intention not to keep them is a crook. We all know that. But is this, for a really thorough analysis, adequate? The simple fact comes in that not all promises are kept and they are sometimes not kept immorally. For example, the old story: a fellow lends me his gun and I promise to return it and the promise must be kept. I take the gun rather than a book, because the gun is obviously appropriate and also a reminder to one of you who has borrowed an article from me and has not returned it. [Laughter] But let us take the case

of the gun, and I promise to return it on the 12th of June 1958. On the 10th of June that fellow becomes mad. Well? Everyone would say: Of course you would be crazy and not moral if you would return it, yes? Kant too would not have the slightest hesitation. In other words, as a reasonable man, when I make a promise I take it for granted that it is possible that I may not be able to keep that promise, and not for guilty reasons. A guilty reason would be that I borrow a hundred dollars, I waste them, and I cannot pay them back at the [proper] time. There is no possible excuse for that. But if it is the case of the gun—and the same could apply to any kind of thing, we don't know. It could be a horse, and then¹³⁴ a war breaks out, or an emergency, and all horses are requested by the government. I can't keep the promise, it is impossible. As a man of some experience, I must know that it is not entirely in my hands that I can keep the promise, and I disregard even here the possibility that I die—which is also not altogether irrelevant, since I cannot keep promises very easily if I am dead. So in other words, my good intentions to keep the promises may very well be nugatory. Now then I make the promise with the awareness of the fact that I may perhaps *justly not* keep it. I cannot know in this particular case, that is perfectly clear. You take an article of mine,¹³⁵ that is a gun, there is no war, and you have no excuse. [LS laughs] But there could be something which I cannot imagine at the moment which would allow you not to return it to me,¹³⁶ not because you want to rob me but for good and just reasons. In other words,¹³⁷ what does it mean then if I know already that I make the promise with the intention under certain conditions *not* to keep the promise? That is not immoral, but moral. I still can make an empirically clear distinction between the dishonest reservations and honest reservations. What I am driving at is only that the honest reservations belong to the honest course and therefore we cannot speak in Kant's simple way of unqualified and unconditioned validity. This formal law, as stated by Kant, is not the moral law. [LS raps the table] It is an abbreviation of the moral law good enough for practical purposes, but not a law dictated by reason. [LS continues to tap on the table]

Student: In Kant's terms, the reservations that you speak of would not be lies or deceit. The other person would very well know that such reservations are—

LS: Yes, but excuse me; if we speak of reason in such a context we want to have real and pure goals and not some vague formulas which are sufficient in 99 of 100 cases. That's common sense.

Same student: It's lies and false promises, is it not, that he is trying to get rid of?

LS: All right, then we take up the question of lying and say [that] it is the universal prohibition against lying which makes every lie immoral. Is that an . . . statement? Then we have to make a distinction. Kant discusses all these problems . . . then he comes back with a complicated question. You are caught . . . in a very difficult situation and where telling the truth may be a very bad action for you and . . . other people. Kant himself was forced to say [that] one is not obliged to say the truth, one is only obliged not to lie. Now with a little bit of experience you know that to be silent may be the cleverest way of lying—I mean, if the other fellow suspects A is B and you are silent, you may seem to confirm A is B and you know A is not B. In other words, you have to go into particulars, and these rules which are simply and universally valid, if there are any, are by no means sufficient for acting morally. That I think is the difficulty.

Hegel discusses the following problem. We must say the truth. Absolutely, no question. But let us assume we do not know the truth, what then? You must say the untruth, because what is meant now is [that] you should be truthful, you should be sincere. So you should not say that you must say the truth¹³⁸, that you must say what you think. You are under no moral obligation to say what you think under all circumstances. For example, if you are together with a man and you think he is an abominable fellow, are you under a moral obligation to tell him whenever you see him: You are an abominable fellow? [Laughter] Of course no one would say that. So what does it mean? Then you get to a very complicated rule with many if's and but's and footnotes and corollaries, and then you are by no means sure that you have exhausted it, because suddenly the day after tomorrow you may read in a novel a story which brings out another qualification. That is the difficulty. That is the difficulty. And Hegel brings this out very nicely in his *Phenomenology of the Mind*, when he says [that] morality incarnate speaks: One must always say the truth. And then of course this statement of morality incarnate proves to be untrue, because morality did not think that you have to know the truth in order to say the truth. So this pure speech of veracity itself is not veracious at all.^{xix}

Student: Doesn't Kant himself take all these complications into consideration, when he says repeatedly in this essay that you can never know and never be sure when you are acting from these pure intentions?

LS: No, he means something different by that. We [will] come to that next time. That is an entirely different proposition: because of the great sophistry of the human heart you can never know what really prompts you.

Same student: It still seems to me that I should be able to have a pure intention not to make false promises and to lie, consistent with the awareness that both of us have to make big assumptions.

LS: The trouble is exactly that the purity of the intentions, while an important part, is only a part of the requirement . . . because the complications which may arise, an awareness which, generally speaking, arises from experience and therefore—in other words, the old story of prudence comes in. And this formula regarding untruthful promises, where no promise must be made with the intention not to keep it, is a matter of course for all practical purposes. You know what we think of a man who makes promises with the intention not to keep them. But still, while this is perfectly sufficient for all practical purposes, it is really a commonsensical abbreviation and not a precise statement. But what Kant demands are precise statements of universal validity. That is the difference. And of course, if everyone would start from ends and the purposes for which, one would see in principle the place where qualifications come in. For example, it would immediately appear that the non-performance of a promise made in order to enrich oneself or to enhance someone else has an entirely different status than the non-performance which is not based on either ground, like the non-performance if you do not return the gun.

By the way, one could really show the strict absurdity—for example, truthfulness.¹³⁹ Truthfulness is of course of special importance in all business transactions. Then very

^{xix} See Hegel, *Phänomenologie des Geistes* (Frankfurt am Main: Suhrkamp, 1970), 313. (§424 in A.V. Miller's translation.)

complicated questions arise. To what extent is a merchant obliged (or anyone who wants to sell something) to reveal the defect of his merchandise? Well, I take it for granted that one should always do that, but I am fortunate enough not to be a merchant. Now a merchant can get into great difficulties. In Cicero's *Offices* [there is] a beautiful example of this. There is one lax moral philosopher and a strict one. I forget the names. I think one of them comes from Babylon.¹⁴⁰ I hope the lax one, but I don't know, it would be . . . But at any rate, one of them says you have to divulge all the defects of the things you want to sell; and the other says no, of course not, because it would amount to this, that you must advertise: Here there is to be sold a completely unhealthy house. You know that it is not healthy for people to live in it, and [if] you want to sell it, you have to advertise in a truthful manner: This house, not fit to live in, is to be sold. [Laughter] That means, in simple language, that you must not sell it. Sure.¹⁴¹ Then¹⁴² [the] lax man says it is absurd and hence you do not have to divulge the defects; the fellow can find out for himself—which was fundamentally the rule of Roman law:¹⁴³ *caveat emptor* was the rule. The purchaser should watch.¹⁴⁴ I do not know where the line is, but the Roman law was fairly lax in this respect. At any rate, Kant himself cannot deny that trade is incompatible with *hundred percent* veracity. A *hundred percent*—I am not now speaking only of the concealment of defects. What about reasonable suspicion of a change of prices up or down? You tell this man: I won't buy that today; tomorrow it will be fifty percent cheaper. [LS laughs] Why is it not immoral for the merchant not to do that? Because he runs also risks, you know? He runs risks of losing, for which it is a fair compensation that he should have also risks of gains. But however he may think about it, it is perfectly clear that here there is some loose rule of veracity—I mean, I take here veracity in the strict sense: nothing but the truth and the whole truth. There won't be a buyer. How can you achieve that by any formal ethics? You have to know the business and the possible upper limit of decency compatible with this human activity.

Now if business is necessary—and Kant admits the spirit of commerce—what are the consequences? The same applies to all human activities. Always the ends, the circumstances, have to be considered. And the question of whether you can have any rule of this kind, even the rule regarding murder, without any qualifications—one can easily deceive oneself. You can easily say [that] murder is absolutely forbidden. But what does that mean? That does not mean killing is absolutely forbidden, because killing is permitted, and demanded, on quite a few occasions: capital punishment, war, self-defense, defense of people unjustly attacked, and so on. And then you can of course say the killing of innocent people, but that is even already a great question, whether you can say soldiers in an enemy army are necessarily guilty people. Well, then you will say: All right, the killing of innocent people except if the innocent people are members of a hostile army . . . But now we look at the war. The war is going on now and for some time in the remoter past, where the distinction between the civilian population and the fighting population could not be properly made. All right, then you say: All killing of innocent persons is forbidden except the enemy population in war. Then there is a question whether you can even leave it at that. So judgment, discrimination, will also come in.

Student: Well, wouldn't Kant reply if the universality of maxims is only one form in which the moral law is stated and that the moral law is given perhaps in more precise [ways] than some of the other forms such as you may not act on a maxim which would mean using other people as a means would . . . So in a sense it provides for an end—

LS: Yes, but you see, the point is this. These other formulations are (that is a very pertinent question), as Kant calls them in the *Critique of Practical Reason*, types, typical presentations of the moral law. That means symbolic presentations. The exact presentations are only as a help for us, for our orientation, simplified . . . It is very important that the formula “we must not treat any human being as a means” is one of the typical formulas, not the strict formulation. And it is characteristic of the post-Kant[ian] tradition of Fichte as well as of neo-Kantians, that they took that to be *the* formulation. But, all right, one could say perhaps Kant errs. But perhaps it is not such an error because there is a very great difficulty: In what does the decency of man consist?

Student: He gives himself his own law.

LS: But if he does not give himself his own law? So in other words, is it the dignity of everyone who has the face of a human being? Is that the English expression? Or how do you say it? *Jeden, der menschliches Angesicht trägt*, it is in German.^{xx} Everyone who has a human face. Does this follow? The dignity of everyone who has a human face—does this follow from the dignity of the self-legislating self?^{xxi}

Student: Yes.

LS: How? And Kant means that—

¹ Deleted “the fortunate....”

² Deleted “that is....”

³ Deleted “that....”

⁴ Deleted “that we should....”

⁵ Deleted “third, fourth, fifth, sixth.”

⁶ Deleted “If you give me your copy I will [inaudible] on page 58, the last sentence of the first paragraph. Would you read that.”

⁷ Deleted “the contentedness.”

⁸ Deleted “the pleasure following....”

⁹ Changed from “for example... let us take another example.”

¹⁰ Deleted “if you like it.”

¹¹ Deleted “cannot... is not itself.”

¹² Deleted “if you....”

¹³ Deleted “when we....”

¹⁴ Deleted “than any moral....”

¹⁵ Deleted “yes but....”

¹⁶ Deleted “what... that may not be....”

¹⁷ Deleted “is concerned.”

¹⁸ Deleted “there is....”

¹⁹ Deleted “in Kant....”

²⁰ Deleted “cannot....”

²¹ Changed from “this must however by limited, this freedom.”

²² Deleted “I cannot repeat... the moral law....”

²³ Deleted “that is.”

^{xx} Strauss appears to be referring to Fichte, *Grundlage des Naturrechts nach Prinzipien der Wissenschaftslehre* (1796), §6, Corollarium 2.

^{xxi} The tape ends at this point. The remaining lines are taken from the original transcript.

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- 24 Deleted “now one could....”
- 25 Delete “the realization...men...men learn gradually and slowly.”
- 26 Deleted “that....”
- 27 Deleted “there is only....”
- 28 Deleted “that.”
- 29 Deleted “nature....”
- 30 Deleted “Kant tries to show....”
- 31 Deleted “of.”
- 32 Deleted “you know.”
- 33 Deleted “but that must be....”
- 34 Deleted “something.”
- 35 Deleted “nature is a....”
- 36 Deleted “that... in the seventieth century.”
- 37 Deleted “the traditional dualistic....”
- 38 Deleted “is.”
- 39 Deleted “is clear.”
- 40 Deleted “what is....”
- 41 Deleted “and though one must somehow....”
- 42 Deleted “that you can... that... that....”
- 43 Deleted “I mean, that could.”
- 44 Deleted “one can....”
- 45 Deleted “there cannot be... the law....”
- 46 Deleted “afterward....”
- 47 Deleted “I make only....”
- 48 Deleted “**Student:** [inaudible].”
- 49 Deleted “morality....”
- 50 Deleted “morality... no....”
- 51 Deleted “that is only... that is....”
- 52 Deleted “yes.”
- 53 Deleted “which begins on page 58 of your edition, but we don’t have to read everything here.”
- 54 Deleted “of duty....”
- 55 Deleted “to do... what is then the [inaudible]? Well....”
- 56 Deleted “you must....”
- 57 Deleted “Then the higher, but still inadequate form is to do the right thing... no, that.”
- 58 Deleted “where is it? four or five paragraphs after the... five paragraph after the last we read, or four after the [inaudible]: ‘to be beneficent whenever one is capable is duty’.”
- 59 Deleted “they do....”
- 60 Deleted “of course whether that... Kant... does not....”
- 61 Deleted “and.”
- 62 Deleted “no motive whatever....”
- 63 Deleted “now to....”
- 64 Deleted “I mean.”
- 65 Deleted “has his.”
- 66 Deleted “there we have....”
- 67 Deleted “one could say it is an inclination towards the moral law – no, no, that is wrong.”
- 68 Deleted “has....”
- 69 Deleted “is this... I mean.”
- 70 Deleted “I think that Kant says this afterward and you will probably cover it, but.”
- 71 Deleted “in order”
- 72 Deleted “yes, but Kant is....”
- 73 Deleted “one can....”
- 74 Deleted “the right....”
- 75 Deleted “what then....”
- 76 Deleted “I cannot respect the effect....”
- 77 Deleted “because.”

-
- 78 Deleted “do you have that?”
- 79 Deleted “can.”
- 80 Deleted “that.”
- 81 Deleted “the highest....”
- 82 Deleted “the good....”
- 83 Changed from “now here a bit later in the next paragraph will you read... let us read the next paragraph.”
- 84 Deleted “to know....”
- 85 Deleted “cannot speak of a....”
- 86 Deleted “and yet... but....”
- 87 Deleted “which....”
- 88 Deleted “we must....”
- 89 Deleted “let us stop here. Now what....”
- 90 Deleted “so that... that....”
- 91 Deleted “the law....”
- 92 Deleted “in... the best...in the....”
- 93 Deleted “the pure will is the law of the will.”
- 94 Deleted “of Pure Reason....”
- 95 Deleted “see here....”
- 96 Deleted “that is made....”
- 97 Deleted “it is....”
- 98 So one... Mr. Marshal, did you raise your finger? I was thinking of something... is there....”
- 99 Changed from “since I have deprived the will of all incentives which could arise from... which all incentive could arise from obedience... compliance with any law, nothing remains except the general legality of actions all together.”
- 100 Deleted “and must be served....”
- 101 Deleted “for what do most....”
- 102 Deleted “so... therefore... what....”
- 103 Deleted “matters....”
- 104 Deleted “you know.”
- 105 Deleted “which we always....”
- 106 Deleted “you make... now what would be....”
- 107 Deleted “and that... and then he....”
- 108 Deleted “does.”
- 109 Deleted “and now after he has disposed of... well....”
- 110 Deleted “what....”
- 111 Deleted “if this....”
- 112 Deleted “whether.”
- 113 Deleted “that....”
- 114 Deleted “I mean that....”
- 115 Deleted “it is....”
- 116 Deleted “now but... let us... I....”
- 117 Changed from “are both contentions, which do not contradiction each other... I mean, each of which can be maintained without self-contradiction.”
- 118 Deleted “the formalism....”
- 119 Changed from “not... and then... What Kant contends is that this material maxim... this material – therefore, the matter comes in.”
- 120 Deleted “makes the....”
- 121 Deleted “should try to get....”
- 122 Deleted “there is....”
- 123 Deleted “although....”
- 124 Deleted “this, to.”
- 125 Deleted “it.”
- 126 Deleted “but not God. Now.”
- 127 Deleted “if it were....”
- 128 Deleted “and that....”

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- ¹²⁹ Deleted “we cannot... well.”
- ¹³⁰ Moved “does.”
- ¹³¹ Deleted “that is no longer Kant.”
- ¹³² Deleted “I think that... another point I would like to bring up....”
- ¹³³ Deleted “that... this is really... the principle....”
- ¹³⁴ Deleted “there is.”
- ¹³⁵ Deleted “there is no....”
- ¹³⁶ Deleted “without....”
- ¹³⁷ Deleted “I must....”
- ¹³⁸ Changed from “you shouldn’t call that you musn’t say the truth.”
- ¹³⁹ Deleted “now this matter... I mean.”
- ¹⁴⁰ Deleted “I don’t know....”
- ¹⁴¹ Deleted “this meant....”
- ¹⁴² Deleted “this.”
- ¹⁴³ Deleted “if those are the facts which....”
- ¹⁴⁴ Deleted “I mean, in other words, you must not create by....”

Session 14: May 14, 1958. *Foundations of the Metaphysics of Morals*

Leo Strauss: Now what shall I say?ⁱ You made some points which were very good but you also made other points which were absolutely shocking. I must draw a middle line.¹ What was the example of the mother? I didn't quite understand that.

Student: Shall I re-read it?

LS: Yes. If you could state it without re-reading it might be better, because I have difficulty understanding the written version.

Same student: That a mother,² loving her child, because of love saves that child and as a consequence would have to sacrifice her own life.

LS: How would this work?

Same student: Take, for instance, that she rushes into a burning house, or she tries [to] jump into a lake, or something of this sort. I mean, they are technical questions.

LS: Yes, that happens.

Same student: A mother who is doing this, who out of love sacrifices her life for her child cannot be accounted as being morally respectable by Kant.

LS: Why not?

Same student: Because first of all,³ she does not do it out of conviction, she does it out of inclination, out of love. Secondly, she purposely, that is consciously, quits her life and uses her life merely as a means, as a means for saving her child.

LS: No, she endangers her life. She does not commit suicide.

Same student: Not suicide, but it seems she knows ahead of time, I mean, if at all possible, that she knows she will die.

LS: If she *knows* it, then it would be suicide, and that⁴ would be an immoral action from Kant's point of view. But Kant would say that in such a situation you can never say more than that there is a very great danger, but not a certainty, of dying.

Same student: Well, that is a technical question.

LS: Yes, but it is very important as far as moral judgment is concerned.

ⁱ Strauss responds to a student's paper, read at the beginning of the session. The reading was not recorded.

Same student: But I could perhaps with more time have constructed an incident in which this was taken care of.

LS: Yes, you see, the point is this—that you really should have done. If it were a clear case where Kant's judgment contradicts the common moral judgment of morally informed people, then it would be a grave case.⁵ So you stated it too generally. In addition, Kant does not say the mother is strictly forbidden, *streng verboten*, to love her child.⁶ He merely says that that is in itself a morally neutral thing.

Same student: That is exactly what I said.

LS: Oh.

Same student: Therefore, this could not be the ground of her being moral—

LS: Yes, yes.

Same student: . . . if she saves her child wholly out of⁷ love rather than out of any conscious feeling of duty, of maternal duty.

LS: No, that is not so simple.⁸ It is not immoral for a mother to love her child.⁹ Also, it is not so that every action you must commit must be a fulfillment of duty. That's impossible.¹⁰ It is sufficient if it does not conflict with the duty. For example, if you have your¹¹ three square meals a day, which are certainly sufficient for keeping you alive so you cannot be accused of willfully endangering your life, and you wonder whether you should drink a cup of coffee in the tea-room or not is¹² morally [an] absolutely indifferent question, yes? But you have to establish that. You can do it very easily, by some reflection.¹³ If you drink the cup of coffee you do¹⁴ [nothing] morally wrong, and if you do not drink the cup of coffee you do¹⁵ [nothing] morally wrong either. So it is really indifferent. And therefore¹⁶ it is not forbidden according to Kant for a mother to love her child. He would say, on the contrary, that it is normal for mothers to love their children,¹⁷ by a kind of natural necessity. This means that it is in itself not morally praiseworthy. But¹⁸ the moral demands concern the actions towards the child.¹⁹ And if, for example, she neglects her child and she over-pampers her child, then she would act morally wrong, but²⁰ whether she is very overflowing or very niggardly in her sentiment of love is morally irrelevant according to Kant.

Same student: I have very poorly stated²¹ [it]. There are two parts: the first part is a morally neutral action for which no special merit can be earned, such as special merit for morality or human dignity; the second part, is an immoral action, assuming that she willfully or knowingly sacrifices her life . . .

LS: Kant never said that you may not sacrifice your life morally. He never said that.²² He never said, for example, that a soldier who goes to certain death is an immoral man. I mean, provided²³ that he is commanded or else on the basis of his judgment that he thinks it is absolutely necessary to do that for the country, he may do it, of course. Kant is speaking here of a man who is committing suicide, he takes away his life and he does not even claim that it is a moral action.

He only wants to get rid of the troubles he has, so there is no question of a conflict of duties. It is a conflict between duty and mere amoral self-love which by the conflict becomes immoral self-love. That is a different case.

And also it was also hard for me to understand²⁴ why you find this so strange or amusing that Kant says that the man who is about to commit suicide should first think in moral terms over the impending action. I do not see that this is unreasonable. I mean, if he is mentally ill, surely then he is completely excused and one cannot say anything—although that is a moot question, but let us take the official, or at any rate the accepted, view. But that someone, if he does an action of gravity, should first reflect on whether he may do it is not an unreasonable demand. We can say to every man: Pull yourself together before you make that decision. And that is all that Kant says. Think whether²⁵ you have a right to do that. The fact that you [would] like to do this now (although the liking is not without pain, as you very clearly demonstrated), and clearly it is a matter of liking—he likes to be dead, life is too miserable—that does not give a man the right to kill himself, Kant says. And then²⁶ we would have to go into Kant's specific argument, whether that is a good enough reason for not committing suicide which Kant gives. That would be better.

Now the points which I thought were very satisfactory in your paper were these, although you overdid it a bit, but still that is perfectly all right.²⁷ You spoke of man as an end in himself and you somehow visualized that²⁸ [this formula] has apparently very great advantages.²⁹ For example, it would seem to exclude slavery.³⁰ But you noted an ambiguity in Kant which I think was very well taken.³¹ To what does man owe this dignity which no other earthly being possesses? Why³² can man alone be regarded as an end in himself, according to Kant? You noted here, if I understood you correctly, a contradiction in Kant.³³ Does man owe his dignity to the fact that he is subject to the moral law, or does he owe his dignity to the fact that he obeys the moral law?

Same student: This is something that I myself am absolutely unsure of.

LS: Yes, it is very ambiguous, and would make a lot of difference, would it not?

Same student: Yes, to men.

LS: ³⁴Surely, [because those who are subject to the moral law are all men, but not all men obey the moral law].³⁵ And a great difficulty would arise. I mean, if Kant would say [that] man has a dignity higher than any other earthly being insofar as he obeys the moral law, well, that would not have been a novelty because that was said by everyone;³⁶ but if it is said that man has a dignity, an absolute dignity, by virtue of the fact that he is subject to the moral law, [which dignity of course]³⁷ would not be lost by committing any number of crimes and by leading any life, however degraded, that would be a problem.

Same student: If man has dignity by being capable or, as you said, by being subject to the moral law, would not people like the insane or morons still³⁸ lose the dignity, because how could they possibly be subject to the moral law in a rational creature as such?

LS: Yes, that's the point.³⁹ Kant could perhaps argue as follows: that there can never be absolute certainty whether this man [who is] now insane⁴⁰ cannot recover his sanity again. In the case of the moron,⁴¹ the natural idiot, it is of course harder to expect any improvement, that is true. It is a difficult question. It is a difficult question, I admit that.

Student: . . .

LS:⁴² I think this ambiguity that Kant claims for every man as man, regardless of anything he does or wills, what could reasonably be claimed for men who live in a certain way is of course—do you not see the practical advantage?⁴³ The practical advantage is an unqualified, really unqualified, unqualified by anything, democracy. All men, regardless of how they live, have the same status. I mean, that is a grave assertion.

Student: . . .

LS: Yes, all right.⁴⁴ I am absolutely sure that Kant would have a proof of it without any qualification, but the question is, on what grounds? Now if a man's dignity consists only in the fact that he is subject to the moral law or capable at least of obeying the moral law, then of course every human being not radically insane or not moronic would possess it. But the question arises—I could very well address the question to you: What is the ground on which you would say that no human being, however insane or moronic, can ever be killed?

Same student: Well, more in the traditional sense, because he is not an angel but a man.

LS: The crucial ground would be the fact that he is innocent, and that the only ground on which a man can legitimately be killed is if he is guilty of crimes of particular severity, be it murder or high treason or something of this kind. That is the problem, yes. I do not know. I am absolutely sure that Kant would have disapproved of the killing of insane people, but what this ground is I do not [know]⁴⁵—how could he argue? Because they are really not⁴⁶ in the strict sense capable of reason. There is no question. How would he argue?⁴⁷ There must be some abbreviation of the categorical imperative which would exclude the killing of any man except innocent men. I do not know. I would have to figure it out.

The other point that Mr. Hoppe made which was very valuable, I thought, was this: that you drew our attention to the fact that in this section of the *Foundations of the Metaphysics of Morals*, Kant, as you put it, bypasses the fundamental question. And that is correct. Kant refers repeatedly to this fact. Now what is that fundamental question? Kant's argument in this section as well as in the first one is this:⁴⁸ we judge in moral terms in everyday life. Kant tries to bring out *the* fundamental principle⁴⁹ implied in all such judgments and Kant says, contrary to the commonplace character of our ordinary judgments, this principle baldly stated is very paradoxical, that the basis of our moral judgment is not anything empirical, anything connected⁵⁰ with human nature, but the formal categorical imperative.⁵¹ Therefore there is a contrast between our ordinary familiarity with moral judgments and the extreme unfamiliarity of the principle of morality.⁵² Or in other words, we talk of duty all the time, yes? But if we try to understand duty, Kant says, we arrive at this extremely abstruse principle, and therefore the temptation is very great to say: Is duty not in the imagination, a chimera, if it means that? This question is left open

here and the answer is given, as far as we can see the answer, in the third chapter. The difficulty is this, and that was very well indicated by Mr. Hoppe: Is not the duty, the categorical imperative, or however you call it, a *fact*? Is not the whole argument of Kant based on the *factual* character of such a thing as duty or morality? Of course not morality [in the sense] that people live and act morally (that is very doubtful from Kant's point of view), but that men are aware of the fact that they *ought* to act morally. Is not this fact the fundamental presupposition?

In his *Critique of Practical Reason*, Kant speaks of the moral law as a fact and the only fact of reason, as he calls it there.ⁱⁱ So from this point of view then, the beginning⁵³ of every moral argument, and perhaps even of every argument, would be the moral law. And that is the only solid basis, the only ultimate certainty, which man possesses. And yet here, in this earlier work, the moral law seems to be in need of a demonstration or of a deduction, and this deduction or demonstration will be given in the third part. And this is an extremely difficult one and connected with Kant's distinction between phenomenal and noumenal worlds and so on and so on. This is a very great difficulty to which Kant's whole doctrine is exposed.⁵⁴ Kant moves here between two extremes which we can state as follows: on the one extreme is the moral law as *the* fundamental fact. There is, in other words, a kind of experience—it is of course not empirical experience, but it is man's meeting, encountering the law. The other extreme is where Kant says, also in the *Critique of Practical Reason* somewhere, [that] the moral law is a postulate.ⁱⁱⁱ According to the stricter doctrine, the moral law is a fact which gives rise to certain postulates, God and the immorality of the soul, but on the other extreme, as I say, the moral law *itself* becomes a postulate. And then, of course, what shall we say of that? This is an indication of the very great difficulty⁵⁵ [in] which Kant becomes involved by his attempt to make the moral law absolute, i.e., not allowing that it has a basis from which we can start to understand it.

Now we have now to turn to some details of this very long and very difficult section. And there were some leftovers, if I may use this term, from last time, at the end of the third section, to which we turn now. I would like to make only one remark, which is not particularly appropriate at this moment, nor is it altogether inappropriate. It has just occurred to me that one point which is so striking in Kant is, or was, at least, familiar to me for a long time, and I just didn't put two and two together. Now what is so striking in Kant's moral doctrine, as well as in his political doctrine, is that the principles are independent of any purpose. In his philosophy of right, freedom, regardless of the purpose externally, is *the* basis; and in his moral philosophy, as we see here, the consideration of purpose must not enter. We have to judge only of whether our maxim is universalizable, not the end. So I may have whatever purpose I want, and yet this purpose is always called happiness or some aspect of happiness . . . This is morally irrelevant. The only morally relevant point is whether the maxim which I pursue in order to become happy, which I pursue for the sake of happiness or for happiness as an end, whether this maxim is universalizable or not. Not the end but only a certain character of the means, if I may say so, is morally relevant.⁵⁶ By the way, if one studies Aristotle's *Ethics*, first book, carefully, one would come across a similar problem, but into that I cannot go now.

Student: . . . world in which rational creatures can pursue happiness.

ⁱⁱ *Critique of Practical Reason* [5:31].

ⁱⁱⁱ Strauss is presumably referring to *Critique of Practical Reason* [5:122ff].

LS: No. I mean that could lead to very extreme Machiavellian consequences, obviously, because you can say in order to establish a world⁵⁷ which is safe for virtue—let me put it this way. If that is the self-justifying end, then one could argue that such a world, safe for virtue, may have to be established by non-virtuous means: Machiavelli's point. Romulus murdering Remus. And then you say that is the last permissible murder.

Same student: . . .

LS: ⁵⁸No, Kant would simply say that this way of arguing is wrong. You have not to think of what will come out of your actions. You simply take⁵⁹ the maxim underlying your actions. For example, for a good end, or for a most praiseworthy end (which very rarely has to be done, once in a century), is it not possible to make exceptions in favor of these rare and most praiseworthy actions? And Kant says no. The very principle implied in the maxim, exceptions, is proof of its wickedness.

Same student: No, you do it simply because it is good to do it, not because of the fact—

LS: Yes.

Same student: The problem is when deciding whether this thing is moral in itself to do does not one have to think of the end?

LS: Kant denies that.⁶⁰ Kant contends it is perfectly sufficient by looking not at the particular action, because you are on the level of generality beyond the particular action, but of course the maxim covers the action, [say], you want to commit a murder to make a country happy.

Same student: Then I generalize it.

LS: You generalize it. You act on this maxim,⁶¹ and Kant would say the maxim has to be stated as follows: if a man believes—he cannot be certain, but if a man believes that by a certain action which he commits, his country will become happy, may he do that? And Kant says: Universalize the maxim. Everyone who believes that he can make⁶² his country [happy] by committing a murder may do so. And then, Kant contends, I see that this leads to the legitimization of practically every murder—no, not every murder, but many murders, and is incompatible with natural—

Same student: Would this legitimization not lead to this: if I universalize it I will limit freedom.

LS: Freedom should be limited, because if freedom were not limited it would mean everyone could do what he wanted, which is of course incompatible with *any* notion of morality. That is the idea. Freedom must be limited but not in an arbitrary way, Kant says. Freedom must be limited in such a way that the freedom of everyone else can coexist with your freedom under equal laws.

Student: Did I understand your original problem, as you phrased it, was the question whether an action according to duty, regardless of considerations of purpose, happened to coincide with the hypothetical imperative of happiness as an end?

LS: Not quite. I mean, Kant's—how shall I say—innocent shrewdness is much greater.⁶³ Kant knows very well that in order to act morally, sacrifice of happiness (in the ordinary understanding of happiness) is required in principle of everyone. But if you speak however⁶⁴ of the happiness of a society, it so happens that the universal imperative is very conducive and quite innocent to the happiness of the society, for the simple reason that universality of reason has some relation to sociality, law.⁶⁵ One could say that in a way Kant puts the cart before the horse: [instead of tracing to society or sociality this character of the moral law, he traces them to rationality and universality].⁶⁶ One could say that. But Kant claims that he is not putting the cart before the horse but giving the reason why we are under an obligation to be concerned with society. Take the simplest case, a purely social doctrine, utilitarianism: the greatest happiness of the greatest number. The question arises: Why should that be?⁶⁷ The utilitarian tells you that what we mostly mean by praising and blaming is really that the action is conducive to the greatest happiness of the greatest number, which in a crude way may be said to be true. The question arises: Why should you do that? Why is the mere summation of happinesses of higher value than⁶⁸ the individual happiness of you? To which the utilitarian cannot give an answer. But Kant claims he can give an answer, because the moral law in its formal character tells you that you are under an ought to do such things the maxim of which can be of universal legislation. Whether that is sufficient or not is another matter, but Kant meets the issue.

Same student: Taking it back to the terms by which I was trying to understand it, he seems to be saying, in this first section here, that reason has given him peace. It seems that his happiness is an end. It could be that that is the purpose; that reason—

LS: Yes, that is Rousseau, but that is not a very profound argument because one could say this argument is based on a very loose meaning of happiness.⁶⁹ And Rousseau would not even agree with Kant at all in the way in which Kant stated it. If you take some of Kant's examples, it is reason which leads us beyond⁷⁰ the elementary needs and makes us able to be concerned with non-necessary things, luxuries. Brutes do not have luxuries proper, only man is capable of that.⁷¹ Through reason man is enabled to develop all kinds of unnecessary wants, and life becomes ever more complicated the more you have unnecessary wants.⁷² That is the meaning of the proposition that reason leads to unhappiness. But one could of course very well say that the wrong use of reason—did not the philosophers say all the time: restrict your demands if you want to act rationally, because the prospects of your being contented are greater the less you want? That is not a very good argument of Kant.

Same student: Well, then he has a higher, so to speak, concept of happiness.

LS: Yes, sure. Then the problem would be entirely different, but that is exactly the point.⁷³ An essential part of Kant's argument is of course (we come to that later) that he defines happiness in such a way that it cannot possibly be the *goal of man*.⁷⁴ I mean, that is part of man's goal Kant does not . . .

The point which I want to make is this disregard of purpose, which is so characteristic of Kant's moral and legal philosophy. I read to you a passage from an earlier statement.

I put for a general inclination of all mankind, a perpetual and restless desire of power after power that ceases only in death, and the cause of this is not always that a man hopes for a more intensive delight than he has already attained to, or that he cannot be content with a moderate power, but because he cannot assure the power and means to live well which he has present, without the acquisition of more.^{iv}

That is Hobbes, *Leviathan*, chapter 11. Now what does Hobbes imply here? All men desire power, but for very different purposes. Some want more intensive delight⁷⁵, that is to say, they do not need that power; they are fools, they only want more power for silly reasons. Others want⁷⁶ more power for a sound reason, because he cannot assure the power and means to live well which he has [at] present without the acquisition of more. So⁷⁷ the perpetual and restless desire of power after power is independent of the purpose which man pursues. Power thus understood has the same moral neutrality as the freedom, the external freedom of which Kant speaks. And therefore if one wants to understand Kant's indifference to purpose, one would have to go back—at least one would have to consider also this concept of power which was developed by Hobbes for the first time and which is also characterized by the disregard of ends or purposes.⁷⁸

To show that this is really something very new in Hobbes, one only has to read earlier writers.⁷⁹ That is of some importance, by the way, for the present discussion in political science in particular. I have heard more than once that the subject matter of political science is power, and from very different quarters.⁸⁰ If that is so obvious, that no one thought of it until a short time ago, I mean, until Hobbes—for example, if you read even such notorious⁸¹ analysts of power like Machiavelli and Thucydides, they say very little about power. I mean, I have no statistics but the word occurs very rarely. The term which Machiavelli uses much more is glory, and there is a very great difference between glory and power. And when you read for example the earlier discussions of the ends of men—the purpose in Aristotle, or in Thomas, wherever it is, health, beauty, wealth, glory, honor, and so on—power is not mentioned. Perhaps [it is mentioned] by implication somewhere, but it is very characteristic that power did not appear in former ages as a particularly characteristic goal of man.⁸² That in itself deserves attention. And Hobbes, in the *Leviathan*, makes this power for the first time an important issue. Incidentally, that can be shown historically very simply, because these discussions in chapter 11 and 12 and so [in the *Leviathan*] are based on Aristotle's *Rhetoric*; but in Aristotle's *Rhetoric* power as a theme is not there⁸³ in the way in which honor, glory, and other kinds of things are there.

Now I suggested already earlier that power becomes so important because the end becomes less important. Now what is the advantage of the orientation by power as distinguished from any ends?⁸⁴ One must consider what power originally meant. In Hobbes,⁸⁵ the English term power is ambiguous and means two different Latin terms which are not so easily distinguished in idiomatic English. One is *potestas*; one can prove this easily by comparing the English with the Latin version, both of which were made by Hobbes so there is no question. The other is *potentia*. Now *potestas* means the power to give commands, let us say;⁸⁶ a kind of political or legal power. But what does *potentia* mean?

^{iv} Thomas Hobbes, *Leviathan*, chapter 11.

Student: Force.

LS: Yes, but potency, which would be the non-idiomatic translation.⁸⁷ But what allows Hobbes to identify them? When he speaks of power, he means somehow both. The *potentia* becomes the potency of this heavy object to fall. That is *potentia*. What does this have to do with the quality of a sheriff to make arrest, for example? It has something to do with it, as you see from the following consideration. Potency is distinguished from the act:⁸⁸ the falling, the hitting, as distinguished from the potency to fall or to hit. But something similar applies to *potestas*;⁸⁹ there is also a distinction here, namely, between the power to command and the exercise of that power. So both are distinguished from the act, from the exercise, and the concern with power means therefore a concern with something which is not the exercise of that.

Why is this advantageous? It must promise some benefit, real or apparent; otherwise it would never have been done. Now if you look at the earlier statement, what about the exercise of power? Or the exercise⁹⁰ of political power, the power of the husband, the power of the father, or the master, what about that? Well, this has to be ruled by prudence.⁹¹ But in the case of prudence, you do not get universally valid rules to speak of, to put it mildly. That depends very much on judgment, as a prudent man would act on the spot, knowing all the circumstances. Now apply this to political government, the most interesting case. That means policy: the use, the exercise of political power cannot be subject to exact rules. But what can be subject to exact rules? The power. In other words, [you can define decent things you may do or, which is clearer, things we may not do].⁹² Legal exactness, which has its advantages, great advantages,⁹³ can be applied clearly to the case of power and not clearly to the case of the exercise of power. You cannot have laws, meaningful laws, which define prudent policy. You can hope⁹⁴ [to get] by a certain system prudent governors, but they must use their judgment,⁹⁵ whereas you can very well protect yourself against the possible or probable imprudence of your rulers by limiting their power. Similar considerations apply also to that other power. When Nietzsche, who took up the Hobbesian scheme more radically than any other thinker, spoke of the will to power (whatever else that may mean), he spoke of *quanta* of power: quanta, numerable, susceptible of exact knowledge. In brief, I am inclined to think that the concern with power with indifference to ends had something to do with the concern with exactness which plays such a role in modern times. But that is a guess; I do not know whether it is true. Of one thing I am certain: that there is a connection between this Hobbesian concept of power with its indifference to any purposes and the Kantian concept of freedom with its equal indifference to purposes. And we must not forget, and we will see this when we go on, how important the concern with exactness is in Kant's doctrine. He is looking for universally valid, apodictic rules, i.e., rules of perfect exactness. That is I think a major point characteristic of the modern development. Never entirely uncontested, that is clear, but unusually powerful.

Student: This ties in somehow with hedonism, doesn't it? Since power is always the means to realize some desire?

LS: But the desire is different qualitatively. The object of desire is qualitatively different.

Same Student: But if we look at this notion of power closer, I think it would break down the distinction between, say, pure pleasures and mixed pleasures.

LS: Yes, but that is very complicated and would lead us far away now. Surely it is somehow connected.

Student: Recent social scientists have been saying that it is impossible to measure power. Would you expect them then to be giving up the notion of power as the central concept of political science?

LS: No.⁹⁶ What I said refers only to the origin. But the indifference to purposes is certainly observed, and secondly I think they are looking for models in order to study power situations in various villages of the United States. The mere notion of models here: Does it not have something to do with the concern for the hoped-for, ultimate possibility of quantifying? I guess they mean for the time being they are not yet advanced enough to speak of power in quantitative terms, but the better our tools become—what do they want to do?⁹⁷ Do they not want to measure power, ultimately? I wonder. The last thing I heard in more concrete terms was an address given to the Political Science Union a few years ago by a man who had made observations about power situations in a village in Montana. He had made observations that the only case which had come up was a controversy about the location of the football team, where one group of people had their weight against another, and he thought this was the right beginning for finding out what the political power situation in that small town was. And I remember I had the feeling that what he was driving at was that the thing would be completed if he could only say [that] so-and-so much percent power is located in this area, and so-and-so much power is located in that area. But I may be mistaken; I have not been a profound student of this. Mr. Masters, do you know anything [about this]?

Mr. Masters: . . .

LS: In the case of freedom I think it is so that this whole continuum is of course meaningless if it is not meant to be used for saying how many degrees of freedom, and how many degrees of bureaucracy, and how many degrees of downright coercion we have in a given society.⁹⁸ In other words, you must not overestimate every little change of the movement and one must keep one's eyes fixed at the goal at which they are really driving.

Student: I was wondering, if they really do despair in attaching quantitative value to pieces of power, they will have gravitated back towards the notion of ends that they are oriented towards.

LS: [Do you believe] they [really] think that? In a way there is something true in what you say, because the ends do come in under the heading of values. No, surely.⁹⁹ What is a value? A value is—¹⁰⁰what do they say a value is?

Same student: . . .

LS: No. They learn something from economics, if I am not mistaken, that you can do something with statistics, given the fact that the values are not so terribly individualized as you might think, that there are some values which are desired by large groups of men and so you can therefore do something with the help of statistics.

Same student: . . .

LS: No. I think values play a considerable role. You see, I think that is the classical point. An earlier stage of political science believed in interest, and the guiding point was interest, a conflict of interests, labor, and so on . . . but then they found out that this notion of interest does not work so well. In other words, interest itself is too derivative a thing. Or to state it simply, interest is still too rational because there is some calculation involved. Given the state of life of a farmer, and his dependence on the weather and on exporting and so on, that is then¹⁰¹ [his] interest. And the so-called irrationality of man uncovered, allegedly, by psychoanalysis and other things is one major reason I believe why interest lost its crucial importance. And they left it at this perfectly irreducible thing: I like it or I dislike it. And then I can still find out some statistical regularity. I think that the place of ends is taken now by values as the irrationally posited beginnings of any “quote reasoning end quote” taking place in social matters. Mr. Cropsey, do you agree with that or not?

Mr. Cropsey: . . .

LS: I see. That is very helpful because I was always bothered: Did they mean by values preferences or principles of preference? That is now settled. I am very happy because I thought, for example: Shall I say an apple is a value or should I say health is a value? You see, an apple is obviously something valuable if you want to be healthy, or maybe for your pleasure, for that matter. But in the one sense the apple would be the value and in the other sense the principle, i.e., either health or pleasure, would be the value. So that is now settled. Not the principles of preference but preferences. How do they arrive at any generalities from this point of view?

Mr. Cropsey: Well, by a kind of mathematical application of the preferences. Functions.

LS: I see. For example, [some have] the preferences for this car and others have preferences for other cars. We call that then cars, and disregard whether it is this or that car.

Mr. Cropsey: . . .

LS: Oh, I see. But you do not need any more principle of preference.

Mr. Cropsey: . . .

LS: But not in economic theory, perhaps.

Mr. Cropsey: . . .

LS: Oh, I see. It would be so universal as to be applicable to every economy. You only have to find different variables.

Mr. Cropsey: . . .

LS: Well, let us return as fast as we can to Kant. [Laughter]. What were you going to say?

Student: Well, I was just going to say that it is not quite fair to attribute this view to all the social scientists.

LS: No, I know that.¹⁰² And lest I appear too tyrannical, let me say as a footnote [that] I know how much confusion there is in social science. But let us now return to Kant.

Towards the end of the first section, Kant had first asserted the perfect self-sufficiency of common sense or prephilosophic moral understanding.¹⁰³ You remember this view of Kant's which found its most extreme expression in that statement elsewhere that an eight year old child could settle all these questions. But then Kant goes on to say that moral philosophy is needed for the sake of morality, so there cannot be a self-sufficiency of the prephilosophic moral understanding. This theme is then continued at the beginning of the second section in a number of passages where Kant explains that a strict metaphysics of morals, an *a priori* metaphysics of morals, is needed not only for theoretical reasons but also for practical reasons, for moral reasons. Why? Do you know the answer to that, Mr. Hoppe?¹⁰⁴ Why do we need for our actions, for our moral actions, a moral philosophy, although the conscience, as we may call it, was presented as self-sufficient?

Student: Because too many empirical elements enter into the common moral feelings.

LS:¹⁰⁵ More precisely, the ordinary man is not aware of the strictly *a priori* character of the moral law. He does not know that any consideration of happiness vitiates the moral decision, and therefore a sophistry, a natural sophistry of the conscience takes place in which the place of duty is taken by the concern with happiness. And this can be prevented only by the perfect clarity¹⁰⁶ about the fact that duty has nothing whatever to do with happiness, and that can be done only by philosophy.

Let us see where we will begin. I believe we begin with this note [in the] tenth paragraph.¹⁰⁷

Reader:

It is clear from what has been said that all moral content has its seat, and origin completely *a priori* in the reason, and have it in the commonest reason just as truly as in what is speculative in the highest degree. Moral concepts cannot be obtained by abstraction from any empirical and hence merely contingent knowledge. It is exactly this purity in origin that makes them worthy of serving our supreme practical principle [for right action] and, as we add anything empirical, we detract in proportion from the genuine influence and from the absolute value of actions. It is not only very necessary from a purely speculative point of view, but it is also of the greatest practical importance to derive these notions and laws from pure reason, to present them pure and unmixed and even to determine the compass of this practical or pure rational knowledge; that is, to determine this entire faculty of pure practical reason. In doing so we must not make the principles of pure practical reason dependent on the particular nature

of human reason, though in speculative philosophy this may be permitted and even necessary at times. Since the moral laws ought to hold true for every rational creature we must derive them from the general concept of a rational being.^v

LS: That is very, very important. Kant seems here to indicate the possibility of a derivation of the moral law from some preceding knowledge. It must not be the knowledge of the essence of man, but the essence of a rational being without the specific character of man. You must never forget that Kant is always thinking of God, and possibly of angels, but certainly of God at any rate. And what Kant will do in the third section of the *Foundations* is such a deduction of the moral law from the concept of a rational being in general, not [man] in particular.¹⁰⁸ At this point there is still some dependence of Kant on the older view that is not quite in accordance with Kant's intention, because Kant's intention is precisely not to deduce the moral law from any preceding knowledge and therewith to give it absoluteness. That is one great ambiguity. Can you go on?

Reader:

Although morality has need of anthropology for its application to man, yet in this way, as in the first step, we must treat morality independently as pure philosophy; that is, as metaphysics, complete in itself . . . We must fully realize that unless we are in possession of this pure philosophy not only will it be vain to determine the moral element of duty in right actions for purposes of speculation criticism, but it would be impossible to base morals on their genuine principles. This is true even for common practical purposes, but more especially for moral instruction which is to produce pure moral disposition and to engraft them on men's minds for promoting the greatest possible good in the world.^{vi}

LS: Let us stop here. Kant had said before (we could not read that) that it follows from the understanding of the moral law as an "ought" that there need not be a single case of a moral action. The ought is independent of any action in complying with the ought. And Kant even spoke of the impossibility of knowing it. For example,¹⁰⁹ if any one of us commits a moral action, we can never be certain that it is purely moral because of the sophistry of the human heart. That is not too difficult to understand because self-love, as Kant observes, takes on all kinds of subtle disguises and¹¹⁰ we can never fully know whether we were fully pure in our intentions—

[change of tape]

—therefore, the mixing of moral and non-moral motives was much easier. Therefore moral progress itself, and not merely legal or institutional progress, depends on Kant's actions, on his moral philosophy. And therefore this great difficulty which we found in Kant's philosophy of history, that we have a clear line of institutional progress towards the just society without having

^v *The Philosophy of Kant: Immanuel Kant's Moral and Political Writings*, trans. Carl J. Friedrich. (New York: The Modern Library, 1993), 159-160. Parentheses in Friedrich. [4:411-412]

^{vi} Friedrich, 160; [4:412]

any guarantee that this institutional progress will also be moral progress. In practical terms,¹¹¹ shrewd self-seekers living in a just society may be the end of the process—no one dedicated to justice for its own sake, only shrewd calculators. And that is something which is revolting. And Kant says, as he indicates here and also in some other passages, there is the possibility of helping men towards moral progress, and the most important thing is of course clarification of the moral principles, as Kant tries here.

But I would like to emphasize again the importance of this casual remark here, which is not merely casual as we will see later, that Kant admits here the necessity of deducing the moral law from a preceding knowledge of the essence of a certain kind of being. Not human beings, but rational beings as such. We must keep this in mind.¹¹²

We can skip the next paragraph, for the reason to which I alluded on a former occasion.¹¹³

Reader:

Everything in nature works according to laws. Only a rational being has the capacity of acting according to the conception of laws, i.e., according to principles. This capacity is will. Since reason is required for the derivation of actions from laws, will is nothing else but practical reason.^{vii}

LS:¹¹⁴ “Will is nothing else but practical reason.” That is an extraordinary assertion which occurs more than once in Kant. According to the traditional view, will and practical reason were of course different. Will belongs together with appetite, desire. Will is distinguished from appetite simply by being rational desire. That is indicated here by Kant by the term conception of laws or [conception of] principles.¹¹⁵ Non-rational desire is not aware of laws. It simply jumps at the particular object which it desires. Rational desire, or will, contains a rational element. For Kant it would be the conception of laws.¹¹⁶ This is the traditional distinction. Kant makes a great step and says will is identical with practical reason. Well,¹¹⁷ it is a surprising statement in itself but it is not altogether surprising after what we have heard. Why? Why must Kant identify will and practical reason?

Student: Because of this problem of priority, that if the will is really the highest thing in the world then it cannot be subject to reason.

LS: Yes, sure, that is the point. In other words,¹¹⁸ when you make a distinction between will and practical reason, you say good action consists of a) willing, and b) apprehending. But there is no apprehension of the good preceding¹¹⁹ the good will, according to Kant. In other words, whereas the traditional notion of morality was based on the distinction between the how and the what—you have to choose the right thing, the what, in the right spirit, the how—Kant’s doctrine somehow amounts to this: that the how, fully understood, guarantees the right one.

It has also a very great consequence. If the will is¹²⁰ identical with practical reason, and the reason as reason is of course infallible, as reason, what follows for the will? There can only be a good will. That is a very great question for Kant. Can there be a bad will? Because if willing, as

^{vii} Immanuel Kant, *Critique of Practical Reason and Other Writings in Moral Philosophy*, trans. Lewis White Beck (Chicago: The University of Chicago Press, 1949), 72; [4:412]

distinguished from desiring, means to subject yourself to the law which you have imposed upon yourself,¹²¹ a bad will would mean not subjecting yourself: I do not will it.

We skip now a number of paragraphs. We must come now to the center of the discussion, [so we skip] nine paragraphs. Well, in the meantime Kant makes a number of distinctions, which have been stated by Mr. Hoppe, which are of course very important because Kant expresses himself in that terminology, but they are not so difficult to understand. Kant uses here the term imperative. Now the imperative, he says,¹²² is the formula for a command.¹²³ Commands are in order only when we speak of a being¹²⁴ whose will need not be good. In other words, God cannot be subject to commands, but man is subject to commands in various ways. Therefore imperatives are in order. And the crucial point is to distinguish the various kinds of imperatives, and Kant distinguishes between hypothetical and categorical imperatives in the first place. The moral imperative is categorical, you can see that. But what about the hypothetical imperatives? They are divided (and you see, by the way, how present reasoning¹²⁵ links up with Kant). There are two kinds: problematic imperatives and assertoric imperatives. These are not the moral imperatives. What is the problematic? That is extremely simple. If you want to use dog food, for example, you know that you get this in boxes and tins, and there is a prescription how much you should take out and perhaps even a prescription of how to open it, [and] sometimes there is a picture of that. This is a hypothetical imperative because it is based on the hypothetical premise that you want to feed your dog. If you want to feed your dog, given this state of civilization you have to do that. Kant says¹²⁶ there are infinite imperatives of this kind. These are the only imperatives, by the way, which present-day orthodox social science admits. But Kant says there is¹²⁷ another imperative which is not categoric, nor hypothetic, but assertoric. In the case of the dog, or in the case of the umbrella or whatever you take, you can still say: Well, I don't want it; I don't mind getting wet. And that solves the problem of the umbrella. [Laughter] There is something where you cannot say "I don't mind it," where¹²⁸ every man necessarily minds, namely, he is concerned, and that is happiness. And therefore the imperatives of happiness have a different status than the imperatives of skill, as Kant calls it, technical imperatives.

And we turn to the section which begins, about ten paragraphs later.¹²⁹

Reader:

There is one end, however, which we may presuppose is actual in all rational beings so far as imperatives apply to them, i.e., so far as they are dependent beings; there is one purpose not only which they *can* have but which we can presuppose that they all *do* have by a necessity of nature. This purpose is happiness. The hypothetical imperative which represents the practical necessity of actions as means to the promotion of happiness is an assertorical imperative. We may not expound it as merely necessary to an uncertain and merely possible purpose—

LS: Like feeding your dog.

Reader:

but as necessary to a purpose which we can have *a priori* and with assurance assume for everyone because it belongs to his essence.^{viii}

LS: You see, that is very important. Man is essentially and not only concerned with his happiness—that is not merely empirical knowledge, it is knowledge of the essence of man following from the fact that man is a dependent or a needy being, to which he referred at the beginning of this paragraph, which as such is necessarily in need of completion, of fulfillment, of filling, if you want, on every level. This is of the essence of man as a dependent and needy being.¹³⁰ That is *a priori* knowledge.

Reader:

Skill in the choice of means to one's own highest welfare can be called prudence in the narrowest sense. Thus the imperative which refers to the choice of means to one's own happiness, i.e., the precept of prudence, is still only hypothetical; the action is not absolutely commanded but commanded only as a means to another end.^{ix}

LS: Let us stop here a moment. Do we understand this?¹³¹ Why does Kant call an imperative leading to *the* natural end of man which, according to Kant's admission, is necessarily pursued by every man,¹³² hypothetical? Is it not as assertorical, we can say, as the end? Because if it is necessary to will the end, is it not necessary also to will the means for that end?¹³³ How does Kant solve this difficulty?¹³⁴ He has already answered it here, because in this case the action—say, for example, not to offend people unnecessarily, which is a rule of prudence¹³⁵—is demanded not for its own sake but for the sake of happiness. The action is not commanded with a mere “Thou Shalt” without any “because” added to it. Therefore it is hypothetical. A categorical imperative is one which states “Thou Shalt” and no “because” added to it. That will be made clear the next paragraph as well.

Reader:

Finally, there is one imperative which directly commands a certain conduct without making its condition some purpose to be reached by it. This imperative is categorical. It concerns not the material of the action and its intended result but the form of the principle from which it results. What is essentially good in it consists in the intention, the result being what it may. The imperative may be called the imperative of morality.^x

LS:¹³⁶ The German term which Kant uses here for intention is *Gesinnung*, which is perhaps not identical with intention. It is hard to bring it out. But the term is familiar¹³⁷ to many of you, I suppose, from Max Weber, when Weber spoke of an ethic of intention and distinguished it from an ethic of responsibility. This has something to do with Kant, with the Kantian usage. True morality according to Kant is concerned only with the purity of intentions. Let the result of success be whatever it will.¹³⁸ In Weber's definition the ethic of responsibility is one which is

^{viii} Beck, 75, italics in Beck; [4:415-416]

^{ix} Beck, 75; [4:416]

^x Beck, 75-76; [4:416]

concerned with the result, and that has a very great practical consequence, because¹³⁹ in political matters especially, a certain kind of pure-intention politician says: I do the right thing and I have no responsibility for the consequences; whereas the prudent statesman will of course consider the consequences.

How was the line drawn in pre-Kantian times? Do you know, Father Buckley?¹⁴⁰ I mean, after all we must draw a line somewhere. No one can be responsible for all unforeseen consequences of his actions.

Father Buckley: They would probably say [that] if it could be foreseen then the person is responsible, but not if it could not be foreseen.

LS: Yes, sure. In other words,¹⁴¹ you have to take the trouble¹⁴² [to find] out what are the presumable consequences of your action, and you are responsible for your action to that extent, and you cannot have the plea of mere intention, that your intention was good, without having done that. Kant divides it rather sharply. Because you cannot possibly be responsible—say, in political actions, where it is clearer—for the consequences an action may have a hundred years afterwards, on the basis of perhaps the misuse of the good fruits of your action. Or with any unforeseen thing, that is impossible. You can have responsibility only within the limit of what you can foresee, and that means of course that you have to make a certain use of historical analogies and experiences¹⁴³ in order to have some balanced judgment of what is reasonable to expect.

Student: . . .

LS: Give an example. That is important. In all moral matters, discussions are vain if there are no examples.

Same Student: . . .

LS:¹⁴⁴ You raised your hand.

Student: I was thinking of the same type of example, where by telling the truth and following the categorical imperative, great harm would come to a perfectly innocent person.¹⁴⁵

LS: Yes, but¹⁴⁶ Kant says there is no obligation to always¹⁴⁷ say the truth. You must never lie.¹⁴⁸

Same student: But what if the situation were such that the bandits rushed in, and your mother was upstairs and they were looking for her in order to kill her, and you remained silent when they asked you if she was upstairs; you knew they would rush upstairs immediately. The only way you could possibly save her would be to say she is elsewhere.

LS: Yes, that is true¹⁴⁹; where Kant says you must not [lie]. That is true. So there is at least one case in which the categorical imperative as authentically interpreted by Kant leads to terrible consequences, and the man who has a good conscience for not having lied should have a bad conscience.

Student: . . .

LS: Yes, there are such cases in which it is the easy way to follow one's conscience in that sense. I read last night a sentence in Schiller, a German poet who was to some extent a pupil of Kant's, [in] which to my surprise I read about a Dutch statesman of the fifteenth century.^{xi150} I am sorry I do not remember literally, but the main point was this: he took the easy way. He followed his conscience, meaning that [it] was very simple to save the conscience according to the general rule, and he¹⁵¹ [did not need] to think through the complexity of the situation. I am sorry I do not remember literally, it was a very similar formulation.¹⁵²

Kant's doctrine is somehow based on the premise, and that is of course a very dangerous assumption, that no terrible consequences will follow from the categorical imperative as he stated it.¹⁵³ That is surely implied. And that is a great assumption. In other words, Kant can have the absoluteness of these rules, which is so conducive to the purity of moral actions, only at the heavy price of abandoning prudence as the traditional test, which always requires careful examination.

But the most important subject for us in this present context, I believe, is this question of happiness. Here we see, and that will be of crucial importance for the categorical imperative, [that] all men necessarily and essentially pursue happiness. Therefore—we see already this—a categorical imperative which would be incompatible with the happiness of man as man is impossible. Do you see that? Because the categorical imperative says you must universalize your maxim, but in every maxim any man has, happiness is implied, because every maxim is directed towards happiness. Is this not clear? Therefore, by the universalization of the maxim, the requirement of happiness of men in general is preserved. That is the solution to your difficulty [about] why the categorical imperative becomes terrible in the wider sense. The provision for happiness is preserved by the fact that the moral law as we can know it can only consist in the universalization of a human maxim, and every human maxim is directed towards happiness. Towards one's own happiness, but the universalization means of course [that] it is now directed towards the happiness of everyone. Everyone. Take an example. It is your maxim to get rich by hook and by crook, and the reason of course is that you think: Well, it is very helpful for happiness in the ordinary understanding of the word. Now you universalize it, and see it cannot be universalized.¹⁵⁴ So you have to drop that (getting rich by hook or by crook). But the fundamental motive, the concern of a man with his happiness, which is only a specification (I mean to get money by hook or by crook) is preserved as a universal concern. And therefore¹⁵⁵ the categorical imperative can never lead according to Kant to a conclusion which is incompatible with the existence of human beings seeking their happiness. It may very well be incompatible with your happiness here [and] now, but again one can say that it is granted by the general moral belief of mankind that a sacrifice of an individual's temporary happiness for a higher cause is implied in the very idea of morality. That, I think, is the insurance against terrible consequences.

Student: . . .

^{xi} Strauss may be referring to Schiller's *Geschichte des Abfalls der vereinigten Niederlande von der spanischen Regierung* (usually translated as *The revolt of the Netherlands*) (1788).

LS: Kant would draw this conclusion: that the maxim of the ascetic cannot be universalized. I mean, how would you state the maxim of the ascetic?¹⁵⁶ There are many kinds of ascetics. But let us take a crude, vulgar notion. In other words . . . I can act on the maxim that I should deprive myself of all possible pleasures. Kant would say: Universalize it and see that you cannot will it.¹⁵⁷ He would argue exactly as in the case of suicide. He would say this: Conceive of this maxim as a law of nature,¹⁵⁸ that there would be a nature in which beings have been created by nature capable of pleasure and pain, [but] who should¹⁵⁹ never satisfy pleasures. Since pleasures, for example, are connected by nature with the whole bodily life of man, for example, appetite for food and the necessary pleasure when you take in food, there cannot be something fundamentally morally evil with pleasure as pleasure. If you would on the other hand try to universalize the opposite maxim, the maxim of the voluptuary, and say [that] no pleasure must be forgone, and try to universalize that, you will see that you cannot arrive at a coherent system because the pleasures of some men are clearly incompatible with the pleasures of others. That would mean . . . That is what Kant would argue. Whether that argument is good is another matter.¹⁶⁰

However, if you put it in a different way¹⁶¹ I think what would happen to you would be this: That you would get a maxim, let us call it A, asceticism, which is universalizable, but the opposite maxim, non-A, is equally universalizable; and then the consequence would be that asceticism of a certain kind is perfectly compatible [and] is morally innocent. You can, if you like,¹⁶² become an ascetic; and if you do not like, you can become a man who moderately enjoys pleasures. That could also be fine.¹⁶³ [Kant] does not say that asceticism is necessarily wicked, but he would say it is also not necessarily good. It is indifferent. That I believe he would say.¹⁶⁴ One must argue it out and not see only whether it is a general proposition, but whether it can be universalized, which is not necessarily evident at first glance. The fact that all kinds of moral schools teach moral doctrines¹⁶⁵ which they say they should be universal does not yet prove that they can be universalized, you know? That would have to be made apparent.¹⁶⁶ Let us take a simple example, a vegetarian:¹⁶⁷ every man ought not to eat anything but vegetables. That can be universalized. The human race would not perish.¹⁶⁸ But the other maxim, “everyone should eat in addition to vegetables also meat” [LS laughs] can equally be universalized, and therefore the issue of vegetarian versus non-vegetarian is not a moral problem. It is a problem which is morally indifferent and which can be decided on medical grounds or grounds of taste and so on.

Student: . . . are there no other considerations, sir?

LS: That is what Kant says, but in order to see whether Kant’s proposition functions it is however not enough merely to give vent to the impression that it seems incredible, but one must really enter into Kant’s argument and really try [to see] whether it is so manifestly impossible as it appears to you. But it is really not so simple because the strong basis Kant has, which I doubt is sufficient, is that very much of what we all mean by immorality consists in regarding oneself here and now as an exception. That is frequently true. There is no question [that] is frequently true. But whether it is always so, as Kant contends, is another problem.

I would like to finish only one point regarding the problem of happiness, and that is¹⁶⁹ in the middle of the next paragraph.¹⁷⁰

Reader:

For law alone implies a concept of an unconditional and objective and hence universally valid necessity, and commands are laws which must be obeyed, even against inclination. Counsels do indeed involve necessity, but a necessity that can hold only under a subjective condition, i.e., whether this or that man counts this or that as part of his happiness;^{xii}

LS: ¹⁷¹Kant had said in the first place [that] happiness is *the* necessary end of man. Well, then it would seem that it is very respectable and it is sensible for our moral exertions. But now we hear that this is not so because happiness is subjective. In every reflection on the means for happiness we think of this or that part of happiness¹⁷² or this and that combination of parts. This subjectivity makes it impossible to build any doctrine on happiness.

There is one more passage in the paragraph after the next.¹⁷³

Reader:

If it were only easy to give a definite concept of happiness, the imperatives of prudence would completely correspond to those of skill and would likewise be^{xiii} analytical. For it could be said in this case as well as in the former that whoever wills the end wills also (necessarily according to reason) the only means to it which are in his power. But it is a misfortune that the concept of happiness is such an indefinite concept that, although each person wishes to attain it, he can never definitely and self-consistently state what it is he really wishes and wills. The reason for this is that all elements which belong to the concept of happiness are empirical, i.e., they must be taken from experience, while for the idea of happiness an absolute whole, the maximum, of well-being is needed in my present and in every future condition. Now it is impossible even for a most clear-sighted and omnipotent but finite being to form here a definite concept of that which he really wills. If he wills riches, how much anxiety, evil, and intrigues might he not thereby draw on his shoulders! If he wills much knowledge and vision, perhaps it might become only an eye that much sharper to show him as more dreadful the evils which are now hidden from him and which are yet unavoidable or to burden his desires—which already sufficiently engage him—with even more needs! If he wills a long life, who guarantees that it will not be a long misery? If he wills at least health, how often as not has not the discomfort of the body restrained him from excesses into which perfect health would have led him? In short, if he is not capable, on any principle and with complete certainty, of ascertaining what would make him truly happy; Omniscience would be needed for this.^{xiv}

^{xii} Beck, 76; [4:416]

^{xiii} In original: be likewise

^{xiv} Beck, 77, parentheses in Beck; [4:417-418]

LS: And the conclusion which Kant draws later on in that paragraph is that happiness is an idea not of reason but of the imagination, and therefore it cannot have any status. In other words, Kant says when you look at the simple and clear statement of Aristotle on happiness in the *Rhetoric*, which is more elementary and popular than that of the *Ethics* and for this reason more easily intelligible, Aristotle has there a simple enumeration of what constitutes happiness: moderate wealth, health, good looks, friends, good friends, many friends, and so on and so on—you know, what we ordinarily understand by happiness. And this is in one sense not subjective at all, because this statement of a Greek made in the fifth century is immediately recognizable today in entirely different conditions, because these are the things which men naturally esteem. And now of course what Kant says comes in.¹⁷⁴ Aristotle was familiar with the fact which every child knows, that for some people who are up to all kinds of mischief it would be much better if they were paralyzed, and would not be able to do it.¹⁷⁵ I mean, there is no great moral discovery here. Aristotle knew that. How would he have argued it?

Student: . . .

LS: Sure. In other words, the accidental consequences are something which has to be taken into consideration and indeed it would be good to find the content, to see the core of happiness in something which cannot even accidentally be . . . And perhaps there is. But certainly these lower goods, genuine goods like health and so on and so on, are essentially goods, given a bodily being like man. But they are indeed themselves in a way of very little importance compared to the real goods, but they are not so unimportant that one can simply dismiss them. Think of a politician or political scientist who says that since health can be so frequently misused, Let us forget about public health;¹⁷⁶ a plague has so many advantages, to get rid of juvenile and other delinquents, or something similar. [LS laughs] This could be the case, but still it does not strike us as a sensible way of looking at this because there are more proper ways, although perhaps inconvenient ways, of handling the problem of juvenile delinquency.¹⁷⁷

At any rate, the destruction of the meaningfulness of happiness is of course absolutely essential to Kant's argument, and yet its preservation is equally important because, as we shall see when we come to some of the examples, without [presupposing] the desire for happiness¹⁷⁸, we can never reach the maxim in question. For example, why am I under an obligation to be kind to other human beings? Because my maxim always to be rude and unfriendly and unobliging, if made a universal law—"Everyone ought to be as rude as he can"—leads to the consequence that if I happen to need other human beings I would be in a poor position. But the legitimacy of the argument depends entirely on the presupposition¹⁷⁹ that I, who universalizes the maxim, want to be helped in need. Why? Because I am dependent as a human being, dependent on help in principle, not necessarily now, but as a human being I am essentially dependent on the help of other human beings, and I seek happiness. Without the presupposition of happiness, the categorical imperative does not give its content, at least not a very important part of its content. That is the problem. And therefore it seems that Kant must say this: a very formalized notion of happiness that of which you are sure that it would make you content. And that may differ from man to man and from situation to situation. That alone can strictly speaking preserve it, but

whether that is possible, whether if we do not assume certain substantive elements of happiness, such as those mentioned by Kant,^{xv} anything [which] can be said is an open question.

You see we did not come very far. We did not even come to the formulation of the categorical imperative. We must do that next time. How we can finish this book in these two meetings is very obscure to me. Of course one could say, let us stay together until seven [o'clock]. I would be willing to do that, but I believe it would not be practical because there are limits to what the flesh can bear.

[end of session]

¹ Deleted "to begin with, the last one, although I'm not sure it belongs to that."

² Deleted "who...."

³ Deleted "because...."

⁴ Deleted "would be...."

⁵ Deleted "but."

⁶ Deleted "he merely says... **Same student:** No. **LS;** No."

⁷ Deleted "love...."

⁸ Deleted "she...."

⁹ Deleted "and it is not...."

¹⁰ Deleted "it is impossible...."

¹¹ Deleted "three meals...."

¹² Moved "an."

¹³ Deleted "that it is not...."

¹⁴ Deleted "not."

¹⁵ Deleted "not."

¹⁶ Deleted "that...."

¹⁷ Deleted "because...."

¹⁸ Deleted "what is...."

¹⁹ Deleted "so the actions... and if...."

²⁰ Deleted "if...."

²¹ Deleted "that thing."

²² Deleted "I mean."

²³ Deleted "it is so."

²⁴ Deleted "what you said...."

²⁵ Deleted "you are...."

²⁶ Deleted "he would have to...."

²⁷ Deleted "when."

²⁸ Deleted "this."

²⁹ Moved "this formula."

³⁰ Deleted "it would seem to. Now... by man... by virtue."

³¹ Deleted "why...."

³² Deleted "is man...."

³³ Deleted "is...."

³⁴ Deleted "because...."

³⁵ Changed from "those who obey the moral law are not all men."

³⁶ Deleted "but if there...."

³⁷ Changed from "which of course... which dignity."

³⁸ Deleted "have."

^{xv} Strauss perhaps means Aristotle, and the elements of happiness he lists in the *Rhetoric* mentioned above.

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- 39 Deleted “**Same Student:** I mean, he still would exclude this as something which....”
- 40 Deleted “or... insane.”
- 41 Deleted “I mean of.”
- 42 Deleted “sure... but Kant....”
- 43 Deleted “because it....”
- 44 Deleted “I mean, that... I know that....”
- 45 Deleted “how could he....”
- 46 Deleted “I mean.”
- 47 Deleted “I think he....”
- 48 Deleted “we argue... we... we....”
- 49 Deleted “underlying....”
- 50 Deleted “with man....”
- 51 Deleted “and that....”
- 52 Deleted “therefore....”
- 53 Deleted “of every argument....”
- 54 Deleted “at the end of it... I mean.”
- 55 Deleted “to.”
- 56 Deleted “that is very different from which....”
- 57 Deleted “in which....”
- 58 Deleted “no I think Kant would... yes....”
- 59 Deleted “your....”
- 60 Deleted “Kant denies that.”
- 61 Deleted “may....”
- 62 Moved “happy.”
- 63 Deleted “not....”
- 64 Deleted “of the happiness....”
- 65 Deleted “you know, but Kant... from Kant...[inaudible].”
- 66 Changed from “instead of tracing to society this character of the moral law, instead of tracing it to society or sociality he traces them to rationality and universality.”
- 67 Deleted “if.”
- 68 Deleted “the non....”
- 69 Deleted “what... what Rousseau had in....”
- 70 Deleted “the mere....”
- 71 Deleted “and this... but....”
- 72 Deleted “that means....”
- 73 Deleted “it is a part....”
- 74 Deleted “the goal.”
- 75 Deleted “others want... intensive delight,”
- 76 Deleted “power.”
- 77 Deleted “the desire for....”
- 78 Deleted “that is... well....”
- 79 Deleted “and I mean.”
- 80 Moved “how come.”
- 81 Deleted “power....”
- 82 Deleted “but try....”
- 83 Deleted “that is....”
- 84 Deleted “and therefore.”
- 85 Deleted “the term ‘power.’”
- 86 Deleted “the power to give commands.”
- 87 Deleted “potency... in other word... yes, alright.”
- 88 Deleted “of the act.”
- 89 Deleted “namely”
- 90 Deleted “of power....”
- 91 Deleted “by prudence.”
- 92 Changed from “you can define decent things you may do or decent things, which is clearer, we may not do.”

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- 93 Deleted "can be... can be defined...."
- 94 Deleted "that you can get."
- 95 Deleted "they are not...."
- 96 Deleted "there are...."
- 97 Deleted "I mean."
- 98 Deleted "you know I mean."
- 99 Deleted "that is one... one way which... sure...."
- 100 Deleted "well...."
- 101 Deleted "my."
- 102 Deleted "I know that."
- 103 Deleted "I...."
- 104 Deleted "why is it...."
- 105 Deleted "in other...."
- 106 Deleted "of...."
- 107 Changed from "Now, let us see where we will begin. I believe we... we begin with this note. If you... I'll tell you because we have different editions. One, two, three, four, five, six seven, eight, nine. The tenth paragraph. 'It appears from what has been said that all moral principles have their seat completely a priori in reason in their origin.' Do you have that? Go on."
- 108 Deleted "that is a kind...."; moved "man"
- 109 Deleted "if we."
- 110 Deleted "we cannot know...."
- 111 Deleted "self-seekers."
- 112 Deleted "now let us...."
- 113 Deleted ". Mr. Hopper, let someone else read. Who has it? Will you read?"
- 114 Deleted "let us perhaps stop here."
- 115 Deleted "desire as desire has."
- 116 Deleted "but Kant goes...."
- 117 Deleted "we...."
- 118 Deleted "there is no...."
- 119 Deleted "the will."
- 120 Deleted "practical...."
- 121 Deleted "not subject...."
- 122 Deleted "imperative."
- 123 Deleted "an imperative is the formula for a command."
- 124 Deleted "which needs...."
- 125 Deleted "are...."
- 126 Deleted "I mean."
- 127 Deleted "another one."
- 128 Deleted "all."
- 129 Changed from "And we turn to the section which begins, 'there is however one purpose...' Do you have that? I said about 10 paragraphs later: 'there is however one purpose....' **Reader:** 'Finally there is one imperative which directly demands...' **LS:** No, no. Before, the paragraph before. **Reader:** Oh. On page 75."
- 130 Deleted "therefore being...."
- 131 Deleted "one could try to...."
- 132 Deleted "why does he call such an imperative."
- 133 Deleted "now."
- 134 Deleted "in the next paragraph... no."
- 135 Deleted "this, namely, not to offend people unnecessarily."
- 136 Deleted "that is... the term...."
- 137 Deleted "to you...."
- 138 Deleted "and."
- 139 Deleted "it could...."
- 140 Deleted "between...."
- 141 Deleted "the foreseeable... the man...."
- 142 Deleted "in finding."

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- ¹⁴³ Deleted “you know.”
¹⁴⁴ Deleted “do you have....”
¹⁴⁵ Deleted “and moralists would say....[inaudible].”
¹⁴⁶ Deleted “Kant would say....”
¹⁴⁷ Deleted “to.”
¹⁴⁸ Deleted “but you....”
¹⁴⁹ Deleted “**Same student:** [inaudible].”
¹⁵⁰ Deleted “now this man... [inaudible].”
¹⁵¹ Deleted “had not.”
¹⁵² Deleted “Yes, but still...one has to... the other side of it... but Kant....”
¹⁵³ Deleted “no....”
¹⁵⁴ Deleted “and what... yes but....”
¹⁵⁵ Deleted “therefore there cannot be.... the moral....”
¹⁵⁶ I must... I mean... because.”
¹⁵⁷ Deleted “and this....”
¹⁵⁸ Deleted “that nature has... that this is a....”
¹⁵⁹ Deleted “never follow....”
¹⁶⁰ Deleted “but that is... but he would... but he would....”
¹⁶¹ Deleted “then you might....”
¹⁶² Deleted “you can.”
¹⁶³ Deleted “in other words, Kant would say... he.”
¹⁶⁴ Deleted “you have....”
¹⁶⁵ Deleted “of.”
¹⁶⁶ Deleted “I mean, for example....”
¹⁶⁷ Deleted “that they... that you... yes....”
¹⁶⁸ Deleted “but when you....”
¹⁶⁹ Deleted “in the next... in the next paragraph....”
¹⁷⁰ Deleted “‘Only law has a concept of an unconditioned and objective and therefore universally valid necessity.’
Do you have that? Then go on.”
¹⁷¹ Deleted “so yes. Let’s stop here. So you see why Kant....”
¹⁷² Deleted “and this... and this....”
¹⁷³ Deleted “‘the imperatives of prudence...’ Do you have that? [inaudible].”
¹⁷⁴ Deleted “by the way, how would Aristotle....”
¹⁷⁵ Deleted “how does....”
¹⁷⁶ Deleted “let us... let us....”
¹⁷⁷ Deleted “and so on”
¹⁷⁸ Deleted “presupposed”
¹⁷⁹ Deleted “this is....”

Session 15: May 20, 1958. *Foundations of the Metaphysics of Morals*

Leo Strauss: I begin by reminding you of the broader context again so we do not lose ourselves completely. I began this course by bringing to your attention Kant's statement on the influence of Rousseau on him. He learned from Rousseau the decisive lesson of the supremacy of morality, and this supremacy of morality means almost the same as the supremacy of the recognition of the rights of man. Starting from that authentic utterance, we understand Kant's moral philosophy in the following terms: Kant takes over the modern natural right teaching, especially in its Rousseauian form, and gives it a sanctity which it did not formerly possess, namely, the sanctity of morality proper as distinguished from a utilitarian calculating morality. Now this modern natural right teaching was meant to be emphatically realistic, that is to say, not based on virtue, and not even on happiness as the end, because of the subjectivity of happiness. Objectivity can be found only in the conditions of happiness, such as life, self-preservation, liberty—which means judgment on the means for self-preservation and external freedom for the pursuit of happiness—and, lastly, property, which also may be called pursuit of happiness.

Now, this Kant takes over. He limits the basic right to freedom, external freedom, and this freedom is required for both morality and non-morality. By non-morality I mean, in the Kantian context, always happiness. For both happiness and morality we need external freedom. Kant takes over the modern natural right teaching and integrates it into morality proper. He combines the advantages of this realism, embodied in the modern natural right teaching, and of moral purity. Now if this can be done, nothing could be more desirable. I think all the problems of Kant are rooted in that, because the realism allows him to develop his philosophy of history where, by purely amoral or immoral means, the just society is produced. The moral purity asserts itself in the assertion that only legality, but not morality, would be produced. And yet there is some strange interlocking between legality and morality, [that is] between the process towards the externally just society and the right spirit, which makes the whole thing more satisfactory.

Now I turn now to the more central teaching. External freedom is required for any purpose, which means it does not presuppose any specific purpose. It is defined without any regard to purpose. The same is true of morality. Morality means action from duty as distinguished from action from inclination. Hence the ground of morality cannot be sought in any¹ [end], all ends being comprised in happiness. In other words, the goodness of² [actions caused by natural inclinations] cannot be presupposed. The goodness must be established after the *principle* of goodness, i.e., morality, has been established. Therefore we cannot base a moral doctrine on the natural inclinations, as it was done in the past.

In other words, if the ground of the moral law is the natural law, the moral law is given to man or imposed on man. It is imposed on him by God or by nature. Weⁱ would have to know first that God or nature³ [is] good before we can bow to a law which they impose. Therefore the moral law must be self-given. The conclusion: the genuineness of morality requires the emancipation of morality from God and from nature.

ⁱ The remainder of this paragraph is not on the remastered audiofile and is taken from the original transcript.

We must now consider the passages in the second section which refer to this.⁴

Reader:

Among the rational principles of morality, there is the ontological concept of perfection. It is empty, indefinite, and consequently useless for finding in the immensurable field of possible reality the greatest possible sum which is suitable to us; and, in specifically distinguishing the reality which is here in question from all other reality, it inevitably tends to move in a circle and cannot avoid tacitly presupposing the morality which it ought to explain. Nevertheless, it is better than the theological concept, which derives morality from a most perfect divine will. It is better not merely because we cannot intuit perfection—

LS: “No, because we cannot intuit his perfection.” In other words, we have no knowledge of his perfection.ⁱⁱ

Reader:

It is better not merely because we cannot intuit its perfection, having rather to derive it only from our own concepts of which morality itself is foremost, but also because if we do not do derive it (and to do so would involve a most flagrant circle in explanation) the only remaining concept of the divine will is made up of the attributes of desire for glory and dominion combined with the awful conceptions of might and vengeance, and any system of ethics based on them would be directly opposed to morality.ⁱⁱⁱ

LS: So in other words, a theological foundation is impossible. Now, regarding nature.⁵

Reader:

In every case in which an object of the will must be assumed as prescribing the rule which is to determine the will, the rule is nothing else but heteronomy.

LS: In other words, whenever an object, something given, is the basis of the moral will—whenever something external to the will is taken to be the basis of the good will, the rule is nothing but heteronomy.

Reader:

The imperative in this case is conditional, stating that if or because one wills this object, one should act thus or so. Therefore the imperative can never command morally, that is, categorically.^{iv}

ⁱⁱ “weil wir seine Vollkommenheit doch nicht anschauen.”

ⁱⁱⁱ Beck, 99, parentheses in Beck; [4:443]

^{iv} Beck, 100; [4:444]

LS: Take the simplest case: if you want happiness, you have to act morally. But your acting morally is predicated on the condition that you wish to be happy. You are not commanded to act morally *period*, but you are commanded to act morally *or else*. And this “or else” is the reason, the condition, for acting morally. That [is what] he means. Therefore it is not a categorical demand because of the addition of the or else. Now let us see.

Reader:

The object may determine the will by means of inclination, as in the principle of one’s own happiness, or by means of reason directed to objects of our possible volition in general, as in the principle of perfection; but the will in these cases never determines itself directly by the conception of the action itself but only by the incentive which the foreseen result of the action incites in the will—that is, “I ought to do something because I will something else.” And here still another law must be assumed in my person as the basis of this imperative; it would be a law by which I would necessarily will the other thing; but this law would again require an imperative to restrict this maxim.^v

LS: In other words, Kant says [that] if morality is derived from happiness there must already be a moral command that I desire happiness. A *moral* command, not a mere natural inclination. Morality cannot be derived⁶ from the non-moral; [that is Kant’s point]. And since the desire for happiness is here understood in itself as non-moral, I cannot have a moral obligation to be concerned with my happiness. Or else I assume a moral obligation to be concerned with my happiness, but then I have to find the ground of the moral obligation as distinguished from the mere natural inclination.

Reader:

Since the conception of an object commensurate to our power incites in the will an impulse according to the natural characteristic of our person, this impulse belongs to the nature of the subject (either to the sensibility, i.e., inclination and taste, or to understanding and reason which faculties, according to the particular constitution of their nature, take pleasure in exercising themselves on an object). It follows that it would be really nature that would give the law.^{vi}

LS: That is crucial. In this case, nature gives the law. That is clear. Therefore, the law is called, in the traditional meaning, the natural law. Nature gives the law. And why is this impossible?

Reader:

As a law of nature, known and proved by experience, it would be contingent and therefore unfit to be an apodictical practical rule such as the moral rule must be. Such a law always represents heteronomy of the will—

^v Beck, 100; [4:444]

^{vi} Beck, 100, parentheses in Beck; [4:444]

LS: “Heteronomy” means someone else gives the law.

Reader:

the will does not give itself the law, but an external impulse gives it to the will according—

LS: An “alien,”⁷ or “foreign” [impulse], *fremd*. In other words, if I obey nature I do not obey myself. That is what Kant means; that is the point which he is making.

Reader:

but an [alien] impulse gives it to the will according to the nature of the subject which is adapted to receive it.^{vii}

LS: That is, I think, one of the most important statements on this subject, but there are two more which we have to consider which show this crucial point, the absolute independence from nature.⁸ But before we turn to that I remind you again of what we said in the preceding section. The moral principle cannot be derived from human nature.⁹ That means it cannot be derived from anything. What follows?¹⁰

Reader: “Here we see philosophy brought to what it is, in fact, a precarious position—”

LS: “To what it is” is not in there. “Here we see philosophy indeed put on a precarious standpoint.” “Precarious” is not quite it; “awkward” would be better, although it is not quite good enough, but better than “precarious.”

Reader: “which should be made fast—”

LS: Not “should be made fast,” but “should be fast,” which is meant to be fast.^{viii}

Reader: “which should be fast even though it is supported by nothing in either heaven or earth.”^{ix}

LS: Mind you, Kant really knows what he is saying. It is an *absolutely unsupported* thing, absolutely unsupported. And you see also a very interesting casual remark. He does not say man, or morality, he says philosophy. So inseparable is morality from philosophy that he can make this perhaps not-quite-conscious switch from man, or morality, to philosophy. Because what Kant says of philosophy is of course true of morality as well. Morality does not have any support in heaven or on earth, meaning neither God nor nature supports it.

Reader: “Here philosophy must show its purity as the absolute sustainer of its laws.”^x

^{vii} Beck, 100-101. The reader accepts Strauss’s emendation of the translation and reads “alien” instead of “external.” [4:444]

^{viii} “Hier sehen wir nun die Philosophie in der That auf einen mißlichen Standpunkt gestellt, der fest sein soll, unerachtet er weder im Himmel, noch auf der Erde an etwas gehängt oder woran gestützt wird.”

^{ix} Beck, 84; [4:425]

^x Beck, 84; [4:425]

LS: These are the moral laws, and they are here of course the laws of philosophy. Is that not interesting? So impossible is it to leave it at the common moral consciousness as the ground of the moral laws. [You remember what Kant said about the eight-year-old child?]¹¹ And then Kant says unfortunately innocence can be so easily lost, and therefore we need philosophy as a helper to the eight year old child, or maybe [even] the fifty year-old children. And now we see that philosophy itself is really the giver of the laws. Very strange.

Reader:

And not as the herald of those which an implanted sense or none who knows what tutelary nature whispers to it.

LS: Yes, you see, that must be prevented. Man must not remain under any tutelage. Nature, [or] natural law: that would mean that man remains under a tutelage . . . Man must be himself nature. In him, his nature, that is not him, it is an alien impulse. Remember that . . .

Reader:

Those may be better than no laws at all, but they can never afford fundamental principles, which reason alone dictates. These fundamental principles must originate entirely *a priori* and thereby obtain their commanding authority; they can expect nothing from the inclination of men but everything from the supremacy of the law and due respect for it. Otherwise, they condemn man to self-contempt and inner abhorrence.^{xi}

LS: These are the two most important passages in this book on the radical independence of the moral law. I repeat the thesis: genuine morality requires the emancipation of morality from God and/or from nature. In other words, only if the law is self-given can^{xii} the good will be the highest good, for if the good will is identical with mere subjection to the law (and this would correspond to the ordinary understanding of morality), [then] the law and not the good will would be the highest good. I have developed this at great length in other meetings. A law preceding the will is accepted on the basis of the expectation of something else. On the crudest level, a law preceding the will is accepted on the basis of the expectation of punishment or reward. But that does not have to be literally true on the highest level. A law preceding the will is accepted on the basis of an expectation of the fulfillment of a need. Now this is crucial, [and Kant refers to it].¹²

Reader:

There is a further paradox that the sublimity of the maxim and worthiness of every rational subject to be a legislative member in the realm of ends consists precisely in independence of maxims from all such incentives. Otherwise he would have to be viewed as subject only to the natural law of his needs.^{xiii}

^{xi} Beck, 84; [4:425-426]

^{xii} The tape skips here; this portion of the text is taken from the original transcript.

^{xiii} Beck, 96; [4:439]

LS: Kant also calls this an interest in this connection. There must not be an interest involved in our acceptance of the moral law. We may take an interest in the moral law after it exists, but it must not be an interest or a need which drives us to it. That is crucial because what does “need” mean, a word which is not emphasized here by Kant but which must be emphasized by us? Man is a needy being. That means he lacks many things; he is incomplete. His neediness implies therefore the desire for completeness, and the common term for that completeness is happiness. So if the moral law is in any way rooted in man’s needs, it would necessarily have happiness as its basis. Another way in which Kant puts it, which sounds very strange if one does not consider [it] in itself, is that happiness is necessarily private intention, as he puts it, ^{xiv}which means egoism, or hedonism. These are all crude terms which are not quite up to what Kant means. The main point which he means is, stated very clearly, that [a need cannot be the basis of the moral law]¹³ because need is relative to happiness and happiness is radically distinguished from duty. The law cannot originate, I repeat, in man’s needs. In what then can it originate? Let us call the alternative to the need, for the time being, man’s freedom, of course.

But we cannot help, when we hear the term need, of thinking of the most painless presentation of this problem, and this is Plato’s analysis in the *Banquet*. Do you remember this story? The *Banquet* deals with something which in Greek is called *eros* and which we might translate by desire or by love. Now what is love, or desire, according to Plato?¹⁴ [It is] the progeny of two radically different parents, poverty and wealth. If there were no poverty,¹⁵ there would be no desire. Desire means you lack something. But on the other hand, if both parents had been poor, the progeny would not know anything of fullness and could therefore not strive towards it. So if we apply this Platonic analysis, the law cannot originate in man’s poverty; it must originate in man’s wealth or fullness. That is crucial, because all notions of the sovereignty of man, or the human mind or however you call it, are of course based on a tacit assumption of the fullness, and not indigence or neediness, of the human mind. The sovereignty of the human mind presupposes the absence of poverty.

I mention one more point to show that this is of very great consequence.¹⁶ Everything I said was implied in what we read in Kant last time, [namely], that there is no distinction between practical reason and the will. There is nothing good apprehended prior to willing it, because if the good were apprehended prior to the will, there would be a distinction between practical reason and will. Now practical reason and will are the same, and practical reason has according to Kant primacy (we may say supremacy), but we see that we are equally entitled then to speak of the supremacy of will because there is an identity of will and practical reason.

Quite a few changes had to be made, but no one in the decisive respect, when you come two or three generations after Kant to Nietzsche where the key term is will to power, which is clearly the opposite to the Platonic desire, *eros*: not a *need* for something lacking but an imposition of man’s law out of his fullness and wealth. That is what Nietzsche means by the will to power. That is diametrically opposed to¹⁷ [*eros*]. And very strangely, Kant plays a great role in the prehistory of Nietzsche, a very great role.

Now before we turn to a discussion of particular passages (and there are plenty of them and we will by no means finish a discussion of this section), I would like to discuss briefly again the

^{xiv} The tape resumes; from this point the transcript is based upon the remastered audiofile.

reasoning underlying Kant's moral philosophy. By "the reasoning" I mean not the historical basis for that (although that is indispensable if one wants to understand fully what is going on) but [how the argument would run] if we are suddenly confronted as simple people, as we hope we still are somewhere, by Kant's proposal.¹⁸ I read to you the argument as I found it restated in a present-day Kantian, Ebbinghaus, but that [argument] is really based on Kant, substantively. The argument runs as follows: [If]¹⁹ man is by nature directed towards the highest end in such a way that he cannot help choosing the highest end, then man of course could not be subject to any command in this respect. His will would be necessarily good. So we must assume, and that agrees with experience, that man can choose an end different from the highest end and maybe even incompatible with the highest end. In this case, his choosing the highest end must be traced to a motive different from his being by nature ordered towards the highest end. For all men, good or bad, are by nature ordered towards the highest end. Therefore the question arises: Why does Mr. X, a good man, choose the highest end? That cannot be answered, to repeat, by the fact that he is by nature ordered towards it, because that applies to the bad man who is also ordered towards it and does not choose it. Hence he must have a prior end which *determines him* to choose the highest end. A prior end which determines him to choose the highest end. But that would mean that he would choose the highest end for the sake of the lower end. What is primary is the lower end, and he chooses for its sake the highest end. He would make the lower end the highest end, and this is absurd. Therefore no end of any kind but only the categorical imperative can be the ground of morality, the categorical imperative which tells us to act in a certain manner without any regard to the end.

What do you say to this argument, which is an extremely brief and elliptical statement of Kant, but fundamentally it amounts to that? This is the reasoning [which explains] why no end can be presupposed and the end, the true end of man can only be derivative from the moral law. We have heard this last time. The moral law makes it certain that man is the end in himself, every man is an end in himself, and therefore the formula which the categorical imperative treats: No man must be treated merely as²⁰ [a means].^{xv} That is just a very small point, it seems. To repeat: that man should be the end follows from the categorical imperative proper. [There is not and there cannot be any end prior, logically prior, to the categorical imperative.]²¹ Father Buckley, what does your tradition say to that subject? That there is an end—we are speaking now only of the natural end—to which man is by nature ordered and not all men choose it? Undeniably. What then is that which induces a man, the good man, to choose the highest end, and the bad man to choose another end?

Father Buckley: Well, even in a natural order, even a bad man is in a confused way choosing the final end, happiness.

LS: That's true.

Father Buckley: And from a psychological point of view he cannot not act for happiness.

LS: But still, what he in fact chooses, what is actual as the end in his mind, is something different—wealth or something of this sort. I would state it as follows: Man is by nature directed towards the highest end, but in such a way that his freely choosing the highest end is required for

^{xv} Strauss says, "an end," evidently in error.

reaching it and even for progressing towards it. It is not an end in the way in which, for example, brutes have ends. That implies however that the highest end is in fact somehow obscured. If it were perfectly lucid to every man in all situations, one could not but choose it. An effort, therefore, is needed to grasp the highest end and to keep it in mind. The immediate motive for seeking it, as distinguished from the natural orderedness towards it, could be said to be knowledge. Prior to man's possessing knowledge of that end, he has other ends, lower ends, and the realization of the inadequacy of these lower ends leads him to understand the highest end. That would be one possibility to dispose of this particular argument. In other words, the fact that the highest end necessarily has a certain obscurity would explain²² [the] empirical fact to which this argument refers. It is not a complete solution to the problem because knowledge does not in itself necessarily kill ignorance if someone choose[s] a very low end whereby he should know better, and therefore mere ignorance cannot be the last word, at least not in all cases. And we have to consider therefore the question of what is the difference between ignorance and a bad will. But this is a question which we could perhaps with better right address to Kant himself because, as we have already read on a former occasion, his will is necessarily a good will, and therefore Kant himself has the greatest difficulties of admitting a bad will proper. That I may take up perhaps next time; this only, now.

Let us turn to some discussion of the famous examples. You remember this great problem. Granted that everything Kant said in favor of a necessarily formal moral law, without any matter, lest there be any misunderstanding regarding this point: if the moral law is not grounded on natural ends or on the nature of man then the moral law must be formal. No matter of any kind can enter. That is implied in the rejection of ends. The ethics must be formal. Two critical questions must therefore be addressed to Kant. First, is it really necessary to disregard the natural ends of man in the understanding of morality? Secondly, is it possible to disregard, i.e., will the formal ethics be in a legitimate way true moral rules on which we can act? That is to say, specific rules? Now let us turn to this section.²³

Reader:

If I think of a hypothetical imperative as such, I do not know what it will contain until the condition is stated [under which it is an imperative]. But if I think of a categorical imperative, I know immediately what it contains. For since the imperative contains besides the law only the necessity of the maxim of acting in accordance with this law, while the law contains no condition to which it is restricted, there is nothing remaining in it except the universality of the law as such to which the maxim of the action should conform; and in effect this conformity alone is represented as necessary by the imperative.

There is, therefore, only one categorical imperative. It is: Act only according to that maxim by which you can at the same time will that it should become a universal law.^{xvi}

LS: That is *the* formula, this one. Note this “act according to that maxim *through which*.” Does he translate that literally? “Through which thou canst will at the same time,” simultaneously.

^{xvi} Beck, 80, parentheses in Beck; [4:420-421]

You must be able to will it through your maxim. In other words, your maxim must itself be moral. Take the maxim to get rich by hook and by crook. Through this maxim you cannot will that it should become a universal law. But if you take the maxim to help people who need help, through this maxim you can will that it should be a universal law. Skip the next paragraph and then go on.

Reader:

The universality of law according to which effects are produced constitutes what is properly called nature in the most general sense (as to form), i.e., the existence of things so far as it is determined by universal laws. [By analogy], then, the universal imperative of duty can be expressed as follows: Act as though the maxim of your action were by your will to become a universal law of nature.^{xvii}

LS: You see, that is not the strict formulation. That is only an analogous or typical formulation. That is very important. Kant makes it clear by his language: “It could be called this way.” It is not a strict formulation. The difference is important because this most famous formulation regarding not treating any man as a mere means does not belong to the strict but to the analogous, or typical, formulation. It is a kind of sound illustration, but not the strict formulation. That is of some importance.

Now let us try first to understand that and to discuss a few examples. You find some discussion which is quite helpful in a book by Paton on the categorical imperative.^{xviii} I take some examples from him. Let us assume my maxim is to play games in my spare time, and I universalize the maxim: Everyone ought to play games in their spare time. All right. But then we look at another man who acts on the maxim to read light literature in his spare time. He universalizes it: Everyone ought to read light literature in his spare time. Neither maxim, universalized, contradicts itself. Both maxims, if universalized, contradict each other because you cannot possibly, if you devote all your spare time to light literature, devote it to playing games. The conclusion is this: If different maxims regarding the same matter can equally well be universalized, the matter in question is morally irrelevant. Take as another maxim where you would see difficulties arise: To take potshots at passers-by in one’s spare time. That cannot be universalized, because you may be one of the passers-by in a given situation and you would not like that. Whether that is a good argument we shall consider later, but why should he not be willing to accept that?

Student: . . .

LS: No, you would have to proceed this way: [one man universalizes the maxim] “Everyone ought to become a carpenter”; and another man universalizes the maxim “Everyone ought to become a butcher,” which can also be universalized without each contradicting himself. But

^{xvii} Beck, 80, parentheses and brackets in Beck; [4:421]

^{xviii} H. J. Paton, *The Categorical Imperative: A Study in Kant’s Moral Philosophy* (Chicago: University of Chicago Press, 1948).

since they predicate on the same matter, namely, profession, and contradict themselves regarding that, therefore the matter is morally indifferent.

Same student: . . .

LS: But then you bring in material considerations. Do you see? I mean, that is exactly the point.²⁴ We disregard the question [of] whether happiness comes in, whether happiness does not have to come in with every maxim. Take this case: I know only one thing; I know nothing of good or bad, only [that] the universalizability [of] the maxim guarantees²⁵ [its] morality. That is the only thing I know. Then I say: Everyone ought to become a carpenter. I do not contradict myself. If I want to become a carpenter there is no contradiction between my maxim and a universal law. But then I look at another fellow who wants to become a butcher, and he universalizes this maxim and he also does not contradict himself. That means simply that this matter is not one which offers itself to this kind of universalization; therefore this matter is morally indifferent.²⁶ You are not an immoral man if you choose carpentry in preference to butchery, or an academic career in preference to carpentry, or vice versa. That is morally indifferent. That is what he is driving at.

Student: It seems to me that in both these cases you would find internal contradictions because if everyone were a carpenter there would be no one to give you work as a carpenter.

LS: Then you bring in empirical considerations.

Same student: No, it seems to me that the matters are directly contradictory, because it is intrinsic—

LS: [No, the point is this, in each case]²⁷: your maxim must be susceptible of universalization without [your] contradicting yourself.

Same student: I cannot be a carpenter if everyone else is a carpenter.

LS: I see, but I think you would know that [only] on the basis of empirical knowledge. Let me see—

Same student: Or nobody can be a carpenter if everybody is a carpenter. [Laughter]

LS: Yes, I really do not know whether this would be still called empirical knowledge. I believe Kant would have to say so. I suggest, however, that we proceed for the time being with these more formal considerations, because the other ones are bound to come in.

Kant, we may say, thinks only of maxims where the universalization creates a problem in our case. [Let us take a more general formula]: I like to do in my spare time what I enjoy.²⁸ I universalize that: Everyone ought to do in his spare time what he enjoys. No problem for anyone; no tension between duty and inclination. And therefore no particular morality in enjoying yourself in your spare time; you know only that this is not immoral. But I like to play games in my spare time, [and so I say]: Everyone ought to do what *I like*. But that is destructive of the

freedom of everyone, which means that if I universalize that, I ought to do what any other man likes, which is manifestly impossible. Here I contradict myself and therefore I learn something. The suppression of my inclination to domineer, [and say that] everyone ought to like what I like, is my duty, because that cannot be universalized.

Now take another maxim which is more interesting. My maxim is to worship only Zeus, and I say: Everyone ought to worship only Zeus. You see, I take a fictitious example because those who worship Zeus always worship other gods too. But now let us come to another maxim, to worship only the biblical God. Everyone ought to worship only the biblical God. Both maxims can be universalized equally well, and yet they contradict each other if both are universalized. What then is the root of the maxim in each case? Personal belief. Everyone ought to believe only in that god in whom I believe: that cannot be universalized. And therefore religion in this sense is morally neutral, which is implied in Kant's categorical imperative. That is, only natural religion, not any positive religion can be morally different, morally relevant.²⁹ That is also implied in that.

Let us take now this first example. But read also the introductory note.

Reader:

We shall now enumerate some duties, adopting the usual division of them into duties to ourselves and to others and into perfect and imperfect duties.

^{xix}

LS: And Kant proceeds as follows: First, perfect duty towards oneself, then perfect duty towards others; then imperfect duty towards oneself and imperfect duty towards others. That is the arrangement. Kant has a note here in which he states that this distinction differs somewhat from the traditional distinction³⁰ [of] his time. According to the then-prevalent view to which he refers, there are only external perfect duties, which means enforceable duties are only duties towards others. That was the school doctrine in Germany at that time, but this is of minor interest to us now. Let us read the first example.

Reader:

A man who is reduced to despair by a series of evils feels a weariness with life but is still in possession of his reason sufficiently to ask whether it would not be contrary to his duty to himself to take his own life. Now he asks whether the maxim of his action could become a universal law of nature. His maxim, however, is: For love of myself, I make it my principle to shorten my life when a longer duration of it threatens more evil than satisfaction.^{xx}

LS: *Annehmlichkeit*, "almost pleasure." "Satisfaction" would be too strong. What is *Annehmlichkeit*? One could say pleasure. It would be better than satisfaction. Agreeableness. Pleasantness.³¹ In other words, it is all right to will what I want. The only question which arises is if it is moral.

^{xix} Beck, 80; [4:421]

^{xx} Beck, 81; [4:421-422]

Reader:

But it is questionable whether this principle of self-love could become a universal law of nature.

LS: *This* principle, namely, as qualified here.

Reader: “One immediately sees a contradiction—”

LS: Kant says, “one sees soon,” which makes a slight difference.

Reader:

[One sees soon] a contradiction in a system of nature, whose law would be to destroy life by the feeling whose special office is to impel the improvement of life.

LS: The feeling is self-love.

Reader:

In this case, it would not exist as nature; hence, that maxim cannot obtain as a law of nature, and thus it wholly contradicts the supreme principle of all duty.^{xxi}

LS: And since it contradicts it simply, it is a perfect duty not to commit suicide on this ground. I emphasize on *this* ground, namely, the ground of self-love, because Kant leaves it open in another work of his, *Metaphysics of Morals*, whether if someone chooses suicide out of duty this might not be legitimate. He gives the example of Frederick the Great of Prussia, who carried poison with³² [him] in case he would be made prisoner by his enemies in the Seven Years’ War, lest the government then would make peace in order to ransom him as a condition unfavorable to Prussia, and Frederick toyed with the thought that in this case he would take poison. Kant does not say it is immoral.

And he gives also some other examples,³³ [such as] the action of Curtius, who jumped into the abyss to save Rome—which is in a way suicide, of course.^{xxii} Kant leaves it open. So the question is only suicide committed out of self-love in order to avoid the unpleasantness and inconvenience of life. This is according to Kant morally wrong.

Student: . . .

LS: Well, you must speak to Kant’s principle. The only moral question discussed by Kant is suicide for reasons of self-love. Now that means you claim for yourself the right to destroy your life on the basis of that feeling, self-love, which was put into you in order to promote and preserve life. That is the decisive point.

^{xxi} Beck, 81. The reader adopts Strauss’s emendation of the translation and reads “one sees soon.” [4:422]

^{xxii} Marcus Curtius, a young man of great military distinction, jumped into a chasm to fulfill an oracle, saving Rome in the process. Livy vii.6.

Student: Must every action have strictly only one maxim in which it can be universalized? Can there not be some actions where there is a logical possibility of multiple universalization?

LS: I never considered that. I think Kant implies only one. But how would it affect the position?

Same student: Well, I was wondering, with your previous example, “I worship Zeus,” could you not universalize that into everyone ought to worship the god of his choice?

LS: Sure.

Same student: That would make a difference then between universalizing [it] that way and universalizing it: “Everyone should worship Zeus.”

LS: That is not the same example. Everyone should enjoy himself as he sees fit in his spare time . . . which means everyone may enjoy himself as he sees fit in his spare time in an innocent way . . . ³⁴ Now what are you driving at? Are you driving at this point that everyone ought to worship some god but which god is left to his choice? Is that it?

Same student: Yes.

LS: I have never thought this through. Maybe. Maybe that would be tenable from Kant’s point of view. But there would be theoretical objections on Kant’s ground because the moral law demands the positing of one God, and therefore there would be some great difficulties.

Same student: I was also wondering whether he ever discusses the actual logical procedure of the universalization.

LS: No, but that is very simple.³⁵ My example is always [this]: I do not want to pay taxes, no one ought to pay taxes. I simply replace myself by everybody or nobody, whatever the case may be, and I replace desire by ought. That is all he means. He means nothing else.

Student: I was wondering, if granting two maxims could logically be generalized of the same act, whether that does not bring in a certain element of prudence.

LS: According to Kant,³⁶ [no]. That merely shows that the matter is not subject to legislation. It is morally irrelevant.

Same student: If it were possible to state as the general maxim of that, No one ought to pay taxes, or No one who does not want to ought to pay taxes, and if both of those were logically in the same relationship—

LS: Sure. That would also mean that these taxes are in³⁷ [themselves] morally irrelevant and become morally relevant only on the basis of the law insofar as the maxim “I do not wish to obey the positive law” is not universalizable.³⁸ That would simply mean that the matter of taxation in itself is morally neutral, just as driving left or right. The morally interesting maxim is obedience to the positive law or not, and that cannot be universalized. Because if you universalize the

maxim not to obey the positive law, then you abolish the positive law as far as in you lies. The problem inherent in that—that was Hegel’s problem—is why should there be any positive law. That must be settled in advance. We come to that later.

But let us now look more precisely at this precise statement which Kant makes here. I will try to interpret that. The would-be suicide thinks of happiness and misery but not of duty. But it is his duty to think of his duty to raise the question: Is it right to commit suicide? He is prompted by his self-love, but the question of right and wrong cannot be decided by one’s self-love. This perspective is too narrow. It is a perspective of passion as distinguished from reason. The question “Is it right?” gives me the proper perspective. The would-be suicide has to forget for a while about his situation, about his allegedly desperate situation—allegedly desperate because true knowledge of what constitutes desperateness or not is not possible. A desperate situation would be one in which one could not possibly think of an alternative. But the mere reminder of the idea of duty shows him an alternative to despair as well as, incidentally, an alternative to elatedness in the opposite case. He sees his situation then not as *the* situation, completely wrapped up in it, but as one case, one example. He universalizes therefore his maxim: All men may commit suicide for the sake of self-love if their future looks desperate. He thinks of it in terms of a law of nature. The law of nature compels self-love to incite to self-destruction. Here there is a self-contradiction, that a law of nature compels self-love to incite to self-destruction. No being built on this principle could exist if that desire which makes it desire life makes it at the same time desire death and destruction. To commit suicide out of self-love is immoral. That is Kant’s argument. What do you say to that?

[change of tape]

Student: Could you not say that nature incites you to a love of a good life rather than mere life so that nature would be consistent if it impelled you to self-destruction when there was no possibility of a good life?

LS: Yes, but³⁹ of course you never know whether there is no more possibility [of a good life]. That you never know—you only assume that. No one can know that because no one can know the future. This simple desperate situation now, the greatest misery even, can change for all you know in half an hour. No one can know that. But I admit [that] according to the general prudential way of acting, we are sure it will not change in half an hour because we have tried all possible help; but we cannot *truly* know that. Father Buckley?

Father Buckley: From the way Kant argues, though,⁴⁰ that is not what he bases his suicide argument on, that things may change, that there’s a great uncertainty about this; but what he argues on is that nature could not exist if self-love leads to self-destruction.

LS: Sure, ultimately.

Father Buckley: I do not see that that is necessary that such a nature could not exist.

LS: But how? Prove that.

Father Buckley: Because for the most part it would not lead to such desperate straits as this man is in at the moment. Most men probably never seriously consider taking their own life because although things may be a little tough every once in a while, they are not at the point where suicide is seriously considered, and if every once in a while someone did take his own life while there were a lot of other people around, nature would still go on. It is just a question of whether you can conceive it or not. He says you cannot even conceive of it because it involves a contradiction.

LS: Very good. What does he do then? You take the commonsensical Aristotelian view that nature is not simply uniform, but mostly [so]. And therefore if a few members of the species do something outlandish, the species itself can perfectly survive. Kant tacitly makes nature subject only to uniformity, and therefore either/or. One could also say, With what right can I choose a teleological interpretation of nature? The obvious example? Self-love . . . that is obvious.

I would say there is another case in Kant himself, and it is always good if the same author contradicts himself for then one is sure to be on his ground. Do you remember in the philosophy of history when Kant speaks of how nature brings about the just society? Do you remember the argument? By the antagonism between men. Nature uses the antagonism among men to bring about the just society. Part of this is war and in war, as we all know, human life is destroyed. So here we see that nature can very well exist although nature herself, according to Kant, uses this self-love of some men to destroy the life of other men. I mean, we speak here of⁴¹ universality and therefore it does not⁴² [make a] difference whether nature uses this self-love for the destruction of this same individual, self-loving individual, or for the destruction of another individual of the same species. This proves that nature can exist in spite of the considerable destruction of life⁴³ [caused by] the same principle of self-love.

Same student: Well, in that case nature is not using self-love in order to destroy life but in order to advance and enhance life. Destruction is a byproduct.

LS: You mean because she uses it in order to bring about peace at the end?

Same student: Yes.

LS:⁴⁴ One would then have to consider⁴⁵ [the] possibility in this argument [of] whether it is not an artifice of nature to bring about the suicide of men who are particularly unable to bear this kind of life, a kind of natural eugenics. But I will state it somewhat differently to show you that it⁴⁶ really would not work. If it is absolutely wrong to commit suicide to escape hopeless misery, or what you regard as hopeless misery, [then] the moral law commands men in principle to live in misery, given that condition. Is this correct? All right, then let us read the next example.

Reader:

Another man finds himself forced by need to borrow money. He knows well that he will not be able to repay it, but he also sees that nothing will be loaned him if he does not firmly promise to repay it at a certain time. He desires to make such a promise, but he has enough conscience to ask himself whether it is not improper and opposed to duty to relieve his

distress in such a way. Now, assuming he does decide to do so, the maxim of his action would be as follows: When I believe myself to be in need of money—^{xxiii}

LS: You see, “I believe,” because there is never a certainty about that. There can be restrictions in your expenses below any restrictions conceivable. There are so many garbage bins in which you can find crumbs of bread. There are so many people from whom you can beg, and so on. You cannot know that. That is what Kant says. The economists know that, I believe, that there is no minimum.

Reader:

When I believe myself in need of money, I will borrow money and promise to repay it, although I know I shall never do so. Now, this principle of self-love or of his own benefit may very well be compatible with his whole future welfare, but the question is whether it is right. He changes the pretension of self-love into a universal law and then puts the question: How would it be if my maxim became a universal law? He immediately sees that it could never hold as a universal law of nature and be consistent with itself; rather it must necessarily contradict itself. For the universality of a law which says that anyone who believes himself to be in need could promise what he pleased with the intention of not fulfilling it would make the promise itself and the end to be accomplished by it impossible; no one would believe what was promised to him but would only laugh at any assertion as a vain pretense.^{xxiv}

LS: Yes, we have discussed this before, have we not? Do you remember what we made out on that occasion? It was a similar example. We discussed it rather from a different point of view, I think. More generally stated, I must never make a promise with the understanding that I will not keep it. Good. And my argument followed substantially Hegel’s reasoning, because I have the will for all future time not to keep it. What does this will mean? Must the will not include what I know, and I know that sometimes promises cannot be kept for moral reasons? There is the famous case of the dagger and the man, but there are unforeseeable situations in which it may even be my duty not to return it. I cannot know that. I do not anticipate it in any particular way, but I must be aware of this possibility. Therefore, [implied in] every promise made with full consciousness of the situation⁴⁷ [is] the possibility that I may morally not will to keep it in a certain situation. And therefore, because of its formality it is too crude, too simple. But the example which I thought chiefly was the fourth one.

Student:

LS: Because I am a crook. That is what he means. Because I am a crook and I know that I do not want to pay. There is some looseness of expression in Kant, but these things he seems to have written with great care. Now let us turn to the fourth example, which I think is crucial.

^{xxiii} Beck, 81; [4:422]

^{xxiv} Beck, 81; [4:422]

Reader:

A fourth man, for whom things are going well, sees that others (whom he could help) have to struggle with great hardships, and he asks, "What concern of mine is it? Let each one be as happy as heaven wills, or as he can make himself; I will not take anything from him or even envy him; but to his welfare or to his assistance in times of need I have no desire to contribute." If such a way of thinking were a universal law of nature, certainly the human race could exist, and without doubt even better than in a state where everyone talks of sympathy and good will or even exerts himself occasionally to practice them while, on the other hand, he cheats when he can and betrays or otherwise violates the rights of man. Now although it is possible that a universal law of nature according to that maxim could exist, it is nevertheless impossible to will that such a principle should hold everywhere as a law of nature. For a will which resolved this would conflict with itself, since instances can often arise in which he would need the love and sympathy of others, and in which he would have robbed himself, by such a law of nature springing from his own will, of all hope of the aid he desires.^{xxv}

LS: Yes, we can call this the maxim of hard-heartedness. These maxims of hard-heartedness, [such as] "I will never help anyone," cannot be universalized because I cannot exclude the possibility of my needing help. Therefore my hard-hearted will now and my possible will [later] to receive help contradict each other. I cannot consistently will that I shall not be helped by others under any circumstances. I cannot will a law which condemns me in principle to live in misery, given certain conditions. That is the nerve of the argument. Because⁴⁸ this situation of which Kant thinks, [where one regrets because one has imposed on oneself the law never to receive help],⁴⁹ is of course a thing which happens only under certain conditions. I think that is a direct parallel to the case of suicide, where the moral law condemns me in principle to live in misery. Why should it not be the case here?

Yet one can say that both the maxim of hard-heartedness and its opposite can be universalized, meaning, helping others and never helping others, and the issue would be morally neutral. To say nothing of the fact, which we must never forget, that according to Kant happiness is merely an ideal of the imagination.⁵⁰ Here in this case it is of course used as something which can legitimately⁵¹—that is to say⁵² that every man may need help from others, and that means of course that happiness has a certain definiteness. He needs help with a view to the indispensable conditions of happiness.

I am again satisfied, as far as I am concerned, that [this] somehow⁵³ does not work, to get specific moral laws by the universalization of⁵⁴ maxims. But Kant means of course something very important, and I think we see this point most clearly—I saw it most clearly here—in the third example, to which we shall turn now.

Reader:

^{xxv} Beck, 82, parentheses in Beck; [4:423]

A third finds in himself a talent which could, by means of some cultivation, make him in many respects a useful man. But he finds himself in comfortable circumstances and prefers indulgence and pleasure to troubling himself with the broadening and improving of his fortunate natural gifts. Now, however, let him ask whether his maxim of neglecting his gifts, besides agreeing with his propensity to idle amusement, agrees also with what is called duty. He sees that a system of nature could indeed exist in accordance with such a law even though a man (like the inhabitants of the South Sea Islands) should let his talents rust and resolve to devote his life merely to idleness, indulgence, and propagation—in a word, to pleasure.^{xxvi}

LS: Did you ever read books by P. G. Wodehouse? There is a club, “the Drones.”^{xxvii} These are such people. They are in a way very nice people, they do not do any harm to anyone. But they are indeed drones.

Reader:

But he cannot possibly will that this should become a universal law of nature or that it should be implanted in us by natural instinct. For, as a rational being, he necessarily wills that all his faculties should be developed, inasmuch as they are given to him for all sorts of possible purposes.^{xxviii}

LS: Yes. Now disregarding again the implicit teleological understanding of nature, which is a difficult question how Kant can do that since according to him there is no theoretical knowledge possible. First, there must be the moral law, and on the basis of it a teleological interpretation can be postulated on practical grounds. But apart from that, if you see what Kant is really doing [here], you recognize something which has a great prehistory and which is this: What does he ask this drone to do? To step for one moment out of his dronish existence and to take on what position? He just lives in the world, protected by laws and perhaps favored by wealth and other external goods and does not care. And what is he now supposed to do? To step out of that and to take on a responsibility. But what kind of responsibility? The responsibility of a founder of nature. You can also say a creator. Then he will see he could not possibly wish that.

I refer to that because that is in a way the action of Plato’s *Republic*. There you have two people who are by no means sure of morality. I mean they are driven towards it, but they are theoretically doubtful whether that is really [a] sound drive, a sound impulse. And then Socrates makes an experiment with them. All right, he says, let us assume that injustice, or immorality, is good, and then let us take the clearest and most perfect case of the immoral man, the tyrant. All right, let us try to be tyrants. But the tyrant is a poor fish because he exploits a city already in existence. A much greater figure would be the founder of a city. The founder of a city does not exploit a city already in existence but he is responsible for the being of the city. He is much

^{xxvi} Beck, 81-91, parentheses in Beck; [4:422-423]

^{xxvii} The Drones club is featured in a number of Wodehouse stories, many of which have been collected in *The Drones Omnibus* (Hutchinson, 1991).

^{xxviii} Beck, 82; [4:423]

bigger from the point of view of prestige than a mere tyrant. So let us found a city. They do not have people around, so they found it only in speech, but that does not affect the moral issue. In the moment they do that, they see [that] they must be concerned with making the city as safe and as powerful and as good as possible because their prestige as founders depends entirely on that. In other words, they are made to think in this way of the common good by still taking, in a strictly selfish way, the attitude of the founder. I mean, the founder is concerned only with his prestige in this case and cannot help serving if he wants to rule. Of course Plato knows that this is not sufficient, and therefore something else is needed: this fellow must undergo a conversion from any form of selfishness to philosophy. That comes later. But even on this first level something important is achieved by taking responsibility even on selfish grounds.

Kant's experiment here is in one way comparable. Make yourself responsible for nature; that means consider your will as a law establishing a nature. If you do that then, and then alone, will you judge properly. So as is shown by the Platonic example, this whole notion is not in its entirety dependent on Kant's specific premises. And the appeal which Kant had, and the⁵⁵ [influence] which his teaching had for many people, is some sign, it seems to me, that there is something to it. I tried to show that by my remarks about suicide,⁵⁶ [that] Kant means this reflection on the will to suicide [in order] to get out of the narrowness [of passion]^{xxix}, and by replacing yourself by everybody else—but this can only be done clearly by universalizing your situation. Think not only of what [situation] you are in now. Passion consists in [the characteristic] that it narrows man's vision to his situation now. It must be counteracted by the opposite movement, the broadest perspective: any human being, or nature as [a] whole. That is surely the important and true point in Kant's thought, but if we look only at Plato, we see that this founder cannot begin to work if he does not constantly consider the nature of men. Otherwise, how can he build up a city of men? That is a great difference. But the notion of universalization is an important part of the moral will, that is so without any question. Well, that is of course also recognized in other doctrines which speak of the impartial spectator, we should look at ourselves as an impartial spectator would. That is in principle the same. Kant's formula has perhaps certain advantages. Do you have some uneasiness?

Student: Yes.

LS: Why don't you communicate it to us?

Student: I am [still] not sure⁵⁷ why it should be a moral duty to live a sedentary life, to develop the faculties, if the only truly good thing is a good will. If the only truly good thing is a good will, I do not see why it should have to enter into this will that it should develop the faculties.

LS: But what is the good will? The good will means to obey the law, and the law can only be known through the universalization of a maxim. So the good will means to act according to universalizable maxims. Kant contends that the maxim of the . . . I forget his name, cannot be universalized.^{xxx} . . . The maxim of Teddy Roosevelt, to speak softly and carry a big stick, cannot

^{xxix} The tape skips at this point. "Of passion" is added from the original transcript.

^{xxx} The audio recording of the remainder of this lecture is of poor quality and much is inaudible. We have attempted to reconstruct the text as accurately as possible using both the remastered audiofiles and the original transcript. Ellipses indicate those places where the recording was too inaudible to decipher.

be universalized. You cannot will that it be a universal law that man ought not to cultivate his talents . . . but we are not concerned with what he likes to do but with what he ought to do, and therefore we must see whether this maxim can be universalized. And Kant says if he steps out of the charmed circle of his customary way of living and looks at it responsibly, that from now on all men would be morally obliged not to cultivate their talents, he contradicts himself as a creator of nature . . . He should look at nature and men from this point of view, from this vantage point. He could not wish to be a creator of a world in which there are human beings with all kinds of possibilities⁵⁸ [which] should always crush them. He could not wish that, because he would contradict himself.

Same student: It still seems to me that something else is being posited as unquestionably good in addition to the good will, namely, the development of all sorts of faculties which may not necessarily contribute to the goodness of the will—or would they?

LS: That Kant denies . . . Kant says this: nature has in fact put in man originalities . . . what should our attitude be towards that fact? And Kant says [that] if we look at nature responsibly and not from the point of view of our life here and now, we see as full founders, full creators, of nature [that] we could not will to be responsible for all these originalities . . . Now I believe that it is fundamentally a teleological interpretation of nature. Is this not your difficulty? In other words, this particular form of the formula according to the laws of nature is, according to Kant himself, not the strict formula. And then the question would be this: With what right can we rephrase the strict formal principle, the universal applicability of maxims, by the somewhat symbolic formulation where the laws of nature enter? That would be the difficulty. This is not discussed in this book, but in the *Critique of Practical Reason*, section . . .

Same student: I still have some kind of logical difficulty. Suppose someone says: I do not want to develop my talents. Then he universalizes that: no one ought to develop his talents . . .

LS: That he does not really do . . . no, his maxim would be: Those who are not particularly inclined and in no way compelled by their situation to develop their talents should lead the life of a drone. That is practically universalizable. To be a drone would be a choice.

Same student: My trouble is that that is not a full universalization of the maxim, for if you substitute everyone for I then you would get no one should develop his talents. Suppose someone else said, I will not develop my talents, and my maxim is that no one should develop his talents. Now, that is wrong. But that does not make it right that everyone should develop his talents.

LS: Let us take another example. I do not know whether I quite understand you. Let us take the example of marriage. Someone says: I do not want to marry . . . I universalize it: No one ought to marry. What follows from that? It follows from that that there must be a law that everyone ought to marry? What about Kant himself? So that cannot be the case.

What I am driving at is this. The universalization does not necessarily mean every human being.⁵⁹ There must be some basis for duties for particular kinds of men. For example, let us take a maxim of a father qua father. This cannot by its very meaning be universalized, say, the duties of a father [must be performed] by an aunt or by anyone who is not a father. And similarly, here the question [is]: How should one proceed? One can safely say that neither the maxim “No one

ought to marry,” or “Everyone ought to marry,” can be required. But the question is: What is the principle which we follow here? What would it imply? It would imply that marriage, while not necessarily morally irrelevant, is necessarily voluntary, in the way in which membership in civil society is not morally voluntary. But the question is: How can we arrive at that conclusion by the formula? That is what you mean. Now let me see how it works . . . We can universalize “Everyone ought to marry.” We cannot universalize “No one ought to marry.”

Same student: Why not? Dogs and horses do not marry.

LS: That is true. In other words, there would already be presupposed some substantive reflection [of] why indiscriminate mating is not proper. That is true. Which Kant, by the way, does on the basis of the duty of man, but that comes in [only] in a very complicated manner. I really do not know how to proceed in this case . . . [laughter] . . .

Student: . . .

LS: All right, but what would be the specification here? One could say everyone who would like to marry, but then of course we would never get along because that obligates the converse. I really do not know how to proceed. Does anyone have some idea which would shed some light on the universalization in this case?

Student: . . .

LS: For Kant, marriage is a moral institution based on the fact that the alternative, namely, indiscriminate mating outside of marriage, is incompatible with the decency of man. The construction is—some people said it proves that Kant was a bachelor. [Well], Kant was a bachelor, but⁶⁰ [the point] is this: Kant conceives of mating as the use of another being as a mere means. So in other words, two human beings use each other as mere means. This must not be encouraged. It need not be punished, but it must be remedied by marriage.⁶¹ It is a very strange construction which really serves only this purpose, because if he had taken the traditional view, procreation and the bringing up of children, then there is a certain difficulty here⁶² in childless marriage, [for a man like Kant]. Instead of saying that childless marriages are in a certain respect defective . . . because the relation between the two sexes is not absolutely limited by the presence of offspring although it has a natural correctness. Kant must take a position which fits equally well every marriage. Now what belongs necessarily to every marriage is the right and duty of sexual intercourse, and therefore Kant makes a construction of marriage with a view to this fact alone. And in order to give it dignity, he must bring in the dignity of man as threatened by sexual intercourse and therefore remedied by the institution of marriage. That is more or less it. That is a particularly thorny part of Kant’s argument, and I believe no Kantian ever accepted that. But, as I say, that is a very complicated thing. After he has established the dignity of man in the⁶³ argument that follows here, [he develops the construction of marriage on this basis].⁶⁴ But there is no attempt to prove the moral necessity of marriage on grounds of the mere universalization of the maxim.

Same student: Another thing which has been bothering me is that nature seems to keep coming back in here as the ground.

LS: Yes, in one way or another, though Kant would of course say [that] he is not looking at natural ends of man but only at the formal character of nature as a self-subsistent system. By your maxim⁶⁵, as far as in you lies, [you] will a nature of a certain kind, a nature which is impossible to will. That is really true; without this schema, as he calls it, of nature, he cannot⁶⁶ [make] this argument. He says later on that the same arguments can be made on the basis of the dignity of man. But here there is another point, which we will come to, that in the discussion of the dignity of man there is this very great ambiguity. On what is the dignity based? [On] the fact that he is subject to the moral law, or the fact that he obeys the moral law? Kant switches from one to the other without notifying us. That makes an enormous difference.

Student: I thought it was the fact that he gives the moral law to himself, and that he has the capacity to do so.

LS: But is there not a great difference, that he gives the moral law to himself and that he has the capacity to give it?

Same student: I think he emphasizes the capacity.

LS: Yes, but that, at any rate, is very ambiguous. We can perhaps take a look at that passage.⁶⁷

Reader:

From what has just been said, it can easily be explained how it happens that, although in the concept of duty we think of subjection to law, we do nevertheless ascribe a certain sublimity and dignity to the person who fulfills all his duties.

LS: Listen to that, “which fulfills all his duties.” Surely we have respect for such a man.

Reader:

For though there is no sublimity in him in so far as he is subject to the moral law, yet he is sublime in so far as he is legislative with reference to the law and subject to it only for this reason.^{xxxi}

LS: Mind you, subject only to the moral law, because he gives to himself the moral law.

Reader:

We have also shown above how neither fear of nor inclination to the law is the incentive which can give a moral worth to action; only respect for it can do so. Our own will, in so far as it would act only under the condition of the universal legislation rendered possible by its maxim—this will ideally possible for us is the proper object of respect, and the dignity of

^{xxx} Beck, 96; [4:439-440]

humanity consists just in its capacity of giving universal laws, although with the condition that it is itself subject to this same legislation.^{xxxii}

LS: You see, you have both statements. And while I think it will not be denied by anyone that a man who fulfills all his duties would be worthy of the highest respect, it is a difficult thing to say that of every man because he *might* fulfill his duties. That is a difficulty. A certain gradation would at least be in order. One can also state it as follows against those who say that Kant has ascribed a much higher dignity to man than, say, Aristotle did, because of this remark. I am not so sure it is really true. Well, what people say is crudely this: On this basis it is absolutely impossible to allow slavery, because a slave according to Aristotle is a mere animate tool. And no man can be a tool and nothing else, according to Kant; he must also be an end in himself. But what does Aristotle really say about slavery? He says this about the animate tool, but he also says that there is no gradation between human beings which is free from right, from moral responsibility, which means of course that he recognizes the other as a bearer of rights and duties. I would say that all men of some decency have always acted on this principle, although not always on the Kantian ground. I do not believe that this in itself in any way leads to a greater respect for man than you had on the basis of the earlier teaching. And it is only linked up with the great ambiguity which you find here in one and the same short paragraph [regarding] the man who fulfills all his duties and the man who *may* fulfill all his duties, exactly the opposite. I think that Kant makes this reference is no accident, because his respect for every human being, regardless of what he does qua man (and this of course applies equally to all men by his nature) derives its evidence from the clear case of the man whom we respect because of his actual morality, who fulfills all his duties. And Kant says (think only back to the beginning) of the good will [that it is] the only unqualified good, the highest good, *the* jewel, and everything else is absolutely irrelevant. It is a good will, and not merely *the* will.

The difference comes out in the following way—the relevant way, Kant says. If you think of Locke's remarks at the beginning of *Civil Government*, second or third part, when he speaks of men who harm others (do you remember that?) and he says they must be killed like other noxious animals: tigers, wolves, or what not,^{xxxiii} Kant says: No, of course they must be killed; but we can never treat a human being, however perverse and beastly, like a lion or a tiger, i.e., like a being which cannot possibly have any responsibility for his actions. We owe it to every man that we respect⁶⁸ responsibility, which he may not respect, and therefore human punishment must be something radically different from the shooting of a mad dog. Although such cases also do exist⁶⁹—take a homicidal maniac⁷⁰; you read such descriptions in the papers where someone is killed because he would kill more people. But that is a case of an extreme emergency. Human punishment is meant to be something different from hitting a bull over the head. That is indeed true, but I would say there is not a trace of evidence to assume that Aristotle or Plato thought of punishment in other terms,⁷¹ for example, with a view to the possibility of improvement. Punishment: that is the point which Plato makes, which shows at least that this thought crossed his mind, a thing which could not possibly occur in the case of a brute.

Well, we must leave it at this. Next time Mr. Sacks will read his paper.

^{xxxii} Beck, 96-97; [4:440]

^{xxxiii} Locke, *Second Treatise on Government*, chapter 3.

[end of session]

¹ Deleted “ends.”

² Deleted “natural inclination actions.”

³ Deleted “are.”

⁴ Changed from “now, first we have to consider the passages in the second section which refer to that. And that requires a problem of coordination of the two editions. That’s hard since this section is very long. Starting from the end of the second section, the sixth paragraph. **Reader:** Page 99, center.”

⁵ Deleted “we can perhaps read first where at the third paragraph after this.”

⁶ Moved “that is Kant’s point.”

⁷ Deleted “alien.”

⁸ Deleted “about the middle of this section. If you take this pagination at the top, 426. Page 84 in your edition, the paragraph beginning, ‘here we see philosophy’.”

⁹ Deleted “you remember that.”

¹⁰ Deleted “this paragraph.”

¹¹ Changed from “that that what Kant says the eight year old child... you remember?”

¹² Deleted “there is a reference to that in this marginal enumeration which you have at the top of the page, on page 459, in the midst of a very long paragraph. On page 96, line 5.”

¹³ Changed from “there cannot be a need as the basis of the moral law.”

¹⁴ Deleted “then.”

¹⁵ Deleted “otherwise.”

¹⁶ Deleted “in.”

¹⁷ Deleted “that.”

¹⁸ Moved “how the argument would run;” deleted “now.”

¹⁹ Deleted “either.”

²⁰ Deleted “an end.”

²¹ Changed from “there is no end prior, logically prior, to the categoric imperative. There cannot be any end prior, logically prior, to the categoric imperative.”

²² Deleted “this.”

²³ Deleted “in this pagination, page 121. **Reader:** page 80, top.”

²⁴ Deleted “I mean.”

²⁵ Deleted “the.”

²⁶ Deleted “I mean.”

²⁷ Changed from “no, but in each case, you must admit that – the point is this.”

²⁸ Moved “let us take a more general formula.”

²⁹ Deleted “so.”

³⁰ Deleted “traditional in.”

³¹ Deleted “the only question which still arises, Kant says.”

³² Deleted “himself.”

³³ Deleted “let me see if I can find them quickly. Well.”

³⁴ Deleted “now the same is true... I see. From this it would follow that...”

³⁵ Deleted “you simply...”

³⁶ Deleted “not because.”

³⁷ Deleted “itself.”

³⁸ Deleted “this way.”

³⁹ Deleted “this.”

⁴⁰ Deleted “I mean.”

⁴¹ Deleted “the.”

⁴² Deleted “this.”

⁴³ Deleted “both the self-love and the self-destruction based on.”

⁴⁴ Deleted “but the question arises...”

⁴⁵ Deleted “this.”

⁴⁶ Deleted “is really... that is...”

⁴⁷ Moved “implies in;” deleted “any promise,” “includes.”

⁴⁸ Deleted “in.”

⁴⁹ Changed from “here where I regretted, that is to say, because I have imposed on me the law never to receive help.”

⁵⁰ Deleted “and.”

⁵¹ Deleted “something which we can.”

⁵² Deleted “of everyman.”

⁵³ Deleted “it.”

⁵⁴ Deleted “the.”

⁵⁵ Deleted “evidence.”

⁵⁶ Deleted “how.”

⁵⁷ Moved “still.”

⁵⁸ Deleted “who.”

⁵⁹ Deleted “or we could...”

⁶⁰ Deleted “well it...”

⁶¹ Deleted “so, in other words, by this they are no longer...”

⁶² Moved “for a man like Kant.”

⁶³ Deleted “further.”

⁶⁴ Changed from “then on this basis his construction of marriage develops.”

⁶⁵ Moved “you.”

⁶⁶ Deleted “give.”

⁶⁷ Deleted “on page 439. The last paragraph before the thick heading, the autonomy of will as the highest principle of morality. **Reader:** Bottom of page 96.”

⁶⁸ Deleted “the.”

⁶⁹ Deleted “where in fact, you know.”

⁷⁰ Deleted “and the man, you know.”

⁷¹ Deleted “in terms.”

Session 16: May 22

Leo Strauss: [in progress] —and I do not agree with everything you said, but you gave a very good and a very profound analysis of the problem.ⁱ Taking up what you said towards the end, I would suggest this correction: that is quite truly observed that modern natural science in its original form, Newtonian form, wants to establish uniformity. Given teleology, we have necessarily such things as defects—not reaching the end, yes, and all this kind of thing. That is true, but Kant seems to me to solve the problem in this way: we have the uniformity of nature in the Newtonian sense, but that is not sufficient because there is morality. And what does Kant do? He finds another realm radically distinct from the realm of nature, but here again, uniformity—you see, therefore the problem of the bad will is really not solvable. In the realm of¹ morality, there is only the good will, all rational beings as members of the realm of ends. As such they are all good wills. But on the other hand, if we look at the empirical, sensible world, we also find uniformity, namely, beings striving for happiness, and that is in principle the same in all men, and uniform. It is also uniform that they do not reach it because of the fact that happiness is an ideal of the imagination and not of reason. We have two spheres of laws, of uniform laws, and the real difficulty is that man's being in-between—man having a bad will. He should act rightly but he does not act rightly, and this becomes then an unsolvable problem for Kant. With this modification I would accept your analysis.

I thought that you understood very well the peculiar difficulty of this last section of the *Foundation* by taking the question very seriously. The question is really not [this]: How is morality possible? or How is the good will possible? The question is: How is the categorical imperative possible? And the difference is this: the good will, or morality, is not limited to man or to finite beings, or to beings which are purely rational. The categorical imperative is that form of morality which applies to beings who cannot be good. Therefore it is an imperative, a command, which would not be possible and necessary in the case of a simply good being. And therefore analyzing the categorical imperative and trying to establish its conditions is identical with the question of the two worlds, because man belongs essentially to the two worlds. Therefore, that I found to be very good and very clear.

As for the beginning of your paper, where you spoke of the circle of which Kant speaks, I think you gave it a non-Kantian solution because when Kant takes it up later on, you will remember, he denies that it is circular. He denies that it is circular, yes? He denies that it is circular. From Kant's point of view a circular reasoning is, as for Aristotle, a vicious reasoning, but you thought forward to Hegel and you gave in a way a Hegelian interpretation of what Kant was doing, and that is defensible on this ground, but it is not the Kantian interpretation of that.

So now let us then turn to a detailed discussion of this part. Now at the end of the second section Kant raises the question: How is the categorical imperative as a synthetic practical proposition *a priori* possible, and why is it necessary? That means in the context (as could easily be shown by many quotations in earlier parts of the argument), as you will remember, that Kant has argued this way: I take the common notions of morality—the common things, I should say, and Kant tried to give the clearest and most precise formulation of what people mean when they speak of

ⁱ Strauss responds to Mr. Sacks' paper, read at the beginning of the session. The reading was not recorded.

the good man, of duty, or [of] any other moral term. But this left still open the question, as Kant said, whether these ordinary notions are not fantastic, chimerical in themselves. And in a way that is the greatest difficulty of the third section. The third section is meant to deduce morality from a higher principle, and that is a problem which really Kant cannot admit; and therefore in his somewhat later writing, the *Critique of Practical Reason*, there is no equivalent to this third section. But nevertheless, that Kant at a certain stage of his thought felt it necessary to give a deduction of morality is very instructive as far as it goes. The alternative, to state this at once, would be to assert that the morality of the categorical imperative is irreducible, not deducible from any higher principle: it is *the* highest principle. He is tending towards that in this book, as you see from the very beginning: the good will is the highest good, and that would mean that it is not deducible from anything else. But here Kant is still worried by the necessity of a deduction and we must see how far we can understand better what Kant is driving at from that.

So at the beginning of the third section, Kant asserts [that] the concept of freedom is the key for the explanation of the autonomy of the will. We know by now that the autonomy of the will is the same as morality. And Kant speaks here first of a negative concept of freedom, where freedom is only understood as independence of alien causes. So a being is free if in a given action it is not determined to that action by an alien cause. For example, you are stung by a mosquito and you have the urge to itch; you are absolutely determined by the alien cause, the mosquito. But it is at least possible that there may be actions to which we are not determined by any alien causes. But that cannot be made clear if we do not turn from the negative concept of freedom to the positive concept. According to the positive concept, freedom means indeed being dependent only on oneself and not on an alien cause, but this dependence must be understood as a dependence according to a law, a law of an entirely different kind, the law of freedom. Freedom in the positive sense means to be a law to oneself, or to have a good will.

Now Kant argues as follows: If we presuppose freedom of the will, morality follows analytically. But why must we presuppose freedom? Why must we presuppose freedom? Why must we presuppose freedom? In the second heading here (subheading 3), Kant says freedom must be presupposed as a quality of the will of all rational beings. Why is that so? Why is that so? Why must freedom be presupposed? In other words, we do not now begin from morality, we begin now from freedom. Freedom must be presupposed as the quality of all rational beings. On page 103 in your edition.

Reader:

It is not enough to ascribe freedom to our will on any grounds whatever if we do not also have sufficient grounds for attributing it to all rational beings. For since morality serves as a law for us only as rational beings, morality must call down all rational beings. And since it must be derived exclusively from the property of freedom, freedom as the property of the will of all rational beings must be demonstrated. And it does not suffice to prove it from certain alleged experiences of human nature which is indeed impossible as it can be proved only *a priori*. But we must prove it as belonging generally to the activity of rational beings endowed with will.ⁱⁱ

ⁱⁱ Beck, 103; [4: 448]

LS: You will recall perhaps an earlier passage in the second section, on page 412 (we can't read that now) where Kant says [that] morality must not be deduced from the essence or nature of man, but from the essence or nature of any rational being. And that seems to be what Kant will try to do. But we have to understand the general character of the argument. If you take a little bit later when this new section comes, "of the interest which belongs to the ideas of morality."

Reader:

We have finally reduced the definite concept of morality to the idea of freedom. We could not prove freedom to be real in ourselves and in human nature. We only saw that we must presuppose it if you think of a being as rational and conscious of his causality with respect to actions, that is, as endowed with a will, and so we ascribe it on the very same grounds we must ascribe to each being endowed with reason and will the property of determining himself to actions with the idea of freedom.ⁱⁱⁱ

LS: You see here that Kant indicates here that he has not really made a deduction but he has only shown the necessity of presupposing freedom. And as he says in the immediate sequel, from this presupposition of ideas, i.e. the ideas of morality, there follows also the consciousness of a law regarding action. Can you read the immediate sequel?

Reader:

That subjective principles of action, i.e. maxims, in every instance must be so chosen that they can hold also as objective, i.e. universal, principles and thus can serve as principles for the universal laws we give. Why should I subject myself as a rational being, and therewith all other beings endowed with reason, to this law?

LS: Kant again repeats the question: Why should I be moral? Why should I be moral? We are still, as far as the crucial question goes, where we were before. Skip the rest of it and read the next paragraph.

Reader:

It therefore seems that the moral law, i.e. the principle of the autonomy of the will, is properly speaking only presupposed in the idea of freedom, as if we could not prove its reality and objective necessity by itself. Even if that were so we would have still gained something because we would have at least defined the genuine principle more accurately than had been done before. But with regard to its validity and the practical necessity—

LS: Practical necessity means of course moral necessity.

Reader:

But with regard to its validity and the practical necessity in objection to it we would not have advanced a single step, for we could give no satisfactory answer to anyone who asked us why the universal validity of our maxim, as of the law, had to be the restricting condition of our action. We could only tell on what it is based, the base with which we ascribe worth to actions of this kind, a worth so great that there can be no higher interest, nor could we tell how it happens that a man believes that it is only through this that he

ⁱⁱⁱ Beck, 103-4; [4: 448-49]

feels his own personal worth, in contrast to this the work toward pleasant or unpleasant conditions is regarded as nothing—^{iv}

LS: Again, this shows [that] the deduction, if a deduction is to be made, has not made any progress. Now let us skip the next paragraph and turn to where he speaks of the circle.

Reader:

We must openly confess that there is a kind of circle here from which it seems there is no escape. We assume that we are free from the order of official causes so that we can conceive of ourselves as subject to moral laws in the order of events and then we think of ourselves as subject to these laws because we have ascribed freedom of the will to ourselves. This is circular because freedom and self-legislation of the will are both autonomy and thus are reciprocal concepts. For that reason one of them cannot be used to explain the other and to furnish a ground for it. At most they can be used as logical principles bringing entirely different conceptions to the same object under a single concept, as we reduce different fractions of the same value to the lowest common terms.^v

LS: Yes. And (we don't read that now) seven paragraphs later, prior to this new heading: "How is the Categorical Imperative Possible," Kant says, "the suspicion that there was a secret circle in our conclusion from freedom to autonomy and from autonomy to the moral law has now been disposed of. There is in fact no circle." Now, how then does Kant achieve this? Kant seems to have said here (and that is true in a way) [that] a deduction of the moral law is not possible. We can only understand the implications of the moral law or the presuppositions of the moral law, and yet the concern with the deduction is here. How can such a deduction of the moral law be made?

Now in the intervening section Kant introduces the distinction between phenomena and things-in-themselves. This distinction is in a way the deduction of the categorical imperative. We must try to understand that. What does this distinction mean? The phenomenal world is the sensible world, the world of experience, which is of course not merely the world of bodies but also the world of our mind to the extent to which our mind is an object of observation and experience. Not only the external world but the internal world of the consciousness is also phenomenal. But Kant says [that] by realizing the phenomenal character of everything we know, we realize at the same time that there must be things-in-themselves as the unknowable ground of the phenomenal. And the second point which he makes is that this world of the things-in-themselves must be purely intellectual, in no way sensible, and it must be a world of pure activity. Pure activity. Those of you who have any remembrance of Leibniz would legitimately think of Leibniz's notion that reality consists of monads, of active, perceptive beings, and whereas the spatial-temporal world of which we are aware is only a phenomenon based on these true things-in-themselves, the monads. But of course that is of some bit of help to think of it, but since Kant does not accept Leibniz's doctrine we really cannot understand that.

We understand Kant's argument if we perhaps start in this section, "Of the Interest which belongs to the Ideas of Morality," from the beginning, the ninth paragraph, on page 452, the

^{iv} Beck, 104; [4: 449]

^v Beck, 105; [4: 450]

paragraph beginning, “man finds in himself truly a faculty by which he distinguished himself from all other things even from himself.”^{vi} But let us wait before we begin with it, in order that you understand the significance of this argument.

With what right does Kant make the distinction between the phenomenal world and the thing-in-itself? With what right does Kant ascribe to the things-in-themselves a pure activity which he denies to the phenomenal world? Now let us first try to understand what he means by denying to the phenomenal things, the things we observe, what he means by denying them activity. Are not all things we see active? What would Kant’s objection be?

Student: They are rather passive.

LS: In other words, they are pushed. They are pushed. And every pushing thing is pushed by something else. There is no true activity. Good. Now let us see how Kant discovers the necessity of assuming something fundamentally active. Let us read this paragraph.

Reader: “Now, man really finds in himself the faculty by which he distinguishes himself from all other things even from himself insofar as he is affected by objects.”^{vii}

LS: Insofar as he is affected by objects he is no different from any other being. They impinge on us as they impinge on a stone and we react to them as a stone reacts. The stimulus-response psychology is the present-day version of what Kant means. In other words, that human reactions as responses to stimuli are not fundamentally different from the reaction of a billiard ball to your action on it. But still we find something in man which is not in its nature passive and that is reason.

Reader:

This faculty is reason. As a pure spontaneous activity it is even elevated above understanding. For though the latter is also spontaneous activity it is elevated above understanding and does not, like sense, merely contains perceptions which arise only when one is affected by them, being passive, nevertheless cannot produce by its activity any other concepts than those which serve to bring the sensuous conceptions under rules and thereby unite them in one consciousness. Without this use of sensibility it would not think at all, while, on the other hand, reason shows such a pure spontaneity in the case of ideas that it far transcends everything that sensibility can give to consciousness and shows its chief occupation in distinguishing the world of sense from the world of understanding, thereby prescribing limits to the understanding itself.^{viii}

LS: In other words, the deduction of the categorical imperative or of morality, to the extent to which it is possible and necessary at all, takes this form: We take our knowledge of the world, let me say scientific or prescientific, and then we see that this knowledge presupposes and is based upon a spontaneity of the understanding. That is again the matter of common knowledge in a somewhat different way today. Today they speak of logical constructs, what you have given as a

^{vi} Beck, 106; [4: 451]

^{vii} Beck, 106; [4: 451]

^{viii} Beck, 106-07; [4: 451-52]

passive thing, as a mere sense data. But when we speak of knowledge on any level, we do not mean the mere sense data; that is not knowledge. We cannot communicate this to anyone. In order to have knowledge you need words, but that means also something like constructs—or let us use a term now so familiar, logical constructs. As the term construct indicates, that presupposes an *activity* of the mind, a spontaneity of the mind. This spontaneity is the condition of any possible knowledge, of any possible experience. For this reason it cannot be understood as derivative from experience. A psychological explanation of our making logical constructs is impossible because every psychological explanation presupposes already the construct. Every psychology of empirical knowledge makes use of those fundamental constructs which are underlying all human thought, for example, cause and effect and all other concepts of this kind. Therefore the world of passivity, of stimuli and responses—because the stimuli themselves are, you can say, responses to some previous action on the stimulating thing—the whole world of passivity, of experience, of stimuli and responses, is *grounded* on the spontaneity of the human understanding.

Now this spontaneity of the human understanding is affected only in making possible experience. These logical constructs are completely empty if they are not filled with sensible² content. That is what Kant means by the understanding. But Kant says that if we analyze the mind more radically, we see that man possesses a faculty which he calls reason, as distinguished from the understanding, which does not have this dependence on being filled with sense experience as the understanding does. The pure spontaneity we find in the reason rather than in the understanding.

Now if someone says: Where do we find that pure spontaneity of reason? Kant gives him an answer. If you read again this last sentence of this paragraph which we have read.

Reader: “On the other hand, reason shows such a pure spontaneity in the case of ideas—”

LS: “under the name of ideas,” Kant says.

Reader:

in the name of ideas that it far transcends everything sensibility can give to consciousness and shows its chief occupation in distinguishing the world of sense from the world of understanding, thereby prescribing limits to the understanding itself.^{ix}

LS: Now what is the name for this chief business of pure reason in which it distinguishes between the phenomenal and the non-phenomenal? Where do we find that? I mean, what is the name of that business, of that activity or work?

Student: . . .

LS: No, no, we are not yet so far. Critique of pure reason. Let us again take an example from our present-day experience. Let us take logical positivism. We have knowledge. That everyone admits at least in science, perhaps not otherwise. All right, this is what we’ll call first-order knowledge. But then it is necessary to reflect on science and to understand, for example, that atoms or some such thing of this kind are logical constructs. Or a time-space continuum. It does

^{ix} Beck, 107; [4: 452]

not mean something like “table”; that is a fundamental concept which is necessary to organize sense data. Now this is what the positivists call second-order knowledge. I mean, that must be knowledge. It must have an object. And it is nevertheless fundamentally distinguished from first-order knowledge. It deals with the mind as understanding mind.

Let us now turn to Kant. The understanding of the understanding is not dependent as such on sense-perception. This understanding of the understanding is strictly speaking beyond the understanding proper: the work of pure reason. What Kant contends then is that an analysis of ordinary knowledge, scientific or prescientific, leads us to realize the essential character of knowledge [and] therewith also the limitations of such knowledge, and makes us see first of all, the spontaneity of the understanding with its constructs in its prescribing nature its laws; and secondly, that there is something which is higher than that understanding which can alone be active by applying itself to the organization of sense-data. That’s pure reason.

So theoretical knowledge, what Kant has been doing in the *Critique of Pure Reason*, establishes the fact of pure reason, and this is the basis for a possible deduction of the categorical imperative. Starting from the ordinary understanding of morality, we have reached the conclusion according to Kant that morality means pure reason giving itself a law, pure reason in man giving itself a law to man. But how do we know that there is pure reason? That is established according to Kant by his strictly theoretical thinking in the *Critique of Pure Reason*. The critique of pure reason as a premoral theoretical activity shows that man is not merely a member of the world of sensible experience, because this reason is in man.

Now let us turn to two passages of the *Critique of Pure Reason*. In the Transcendental Dialectic, the section on the cosmological ideas, third section of the Interest of Reason. Of the Interest of Reason in this Antinomy of Pure Reason, third section. After the second-third of this section, there is a short paragraph in which Kant says, “this is the opposition of Epicureanism against Platonism,” and there is a note there. I think it is really the first note in the paragraph. Will you read that note.

Reader:

It is, however, a question open to whether Epicurus ever propounded these principles as objective assertions. If perhaps they were for him nothing more than maxims for the speculative employment of reason then he showed in this regard a more genuine philosophical spirit than any other of the philosophers of antiquity.

LS: I must mention what this is about. Epicureanism means here the position or the attitude of the modern scientist: a strictly deterministic, atheistic analysis of phenomena. Platonism means speculative metaphysics. That’s the point. And Kant tries to solve this secular conflict, and in this connection writes this note.

Reader:

That in explaining the appearances we must proceed as if the field of our enquiry were not circumscribed by any limit or beginning of the world; that we must assume the material that occurs in the world to be such as it must be if we are to learn about it from experience, that we must postulate no other mode of the production of events than one

which will enable them to be determined through unalterable laws of nature; and finally that no use must be made of any cause distinct from the world—all these principles still [retain their value].^x

LS: That means of course that no cause distinct from the world must be adduced, that no reference to God is possible. What does Kant say?

Reader:

They are very sound principles, though seldom observed, for extending the scope of speculative philosophy—

LS: “Speculative” however means here just science.

Reader:

while at the same time enabling us to discover the principles of morality without depending for this discovery upon alien, that is, non-moral theoretical sources.

LS: Yes. Now you see what Kant says here: that proper understanding of knowledge or science is the indispensable condition in order to discover the principles of morality. Well, Kant does not deny that man has an awareness of these principles of morality; he speaks of that all the time. But we are now concerned not with ordinary moral understanding, but we are concerned with the philosophic understanding of moral understanding. Kant contends that this is not the base—the beginning must be from an analysis of our theoretical knowledge, of our scientific knowledge. If we do not do this properly, in the way in which Kant claims to have done in the *Critique of Pure Reason*, we shall not be able to discover the principles of morality in a rational manner.

Now the other passage to which I want to refer is earlier, in the section on the Paralogisms of Pure Reason, at the end of the first book of Transcendental Dialectic. There is a section called “General Remark concerning the transition from rational psychology to cosmology.” At the end of the section, the Paralogisms of Pure Reason.^{xi}

Before we read a few passages from here, I must make a remark about what Kant is speaking about. Kant is discussing here rational psychology. That meant at that time the purely rational knowledge of the soul, which was meant to establish the immortality of the soul. And Kant thinks here chiefly of Descartes: Descartes had claimed that he had discovered the first principle of all knowledge in the fact that I exist as a thinking being. Descartes had claimed that from this it follows that there is a thinking substance distinct from the corporeal or extended substance and that this knowledge of the thinking substance as a substance is the condition for proving the immortality of the soul. Kant rejects this argument. Kant says it is indeed so that any analysis of knowledge leads us to the “I think” as the highest principle. There is a sentence somewhere in the *Critique of Pure Reason*: “the ‘I think’ must be able to accompany all my thoughts.” For example, if I surrender completely to a sense impression—that’s green, [say]—a moment’s reflection shows me that this implies [that] I see it, I think it. So this “I think” accompanies—that is in a way the meaning of understanding. This makes possible the possible unification of

^x Smith, 427-28, brackets in Smith; [A 472 = B 500]

^{xi} There follows a largely inaudible exchange with a student about the location of the passage.

impressions that it is the same thinking ego which has a variety of impressions. And the *Critique of Pure Reason* tries to develop this in all details. Kant contends that this fact that the “I think” is implied in every perception means no more than what we call a logical function. No conclusion can be drawn from that as to the soul being a substance. What we know of the soul or of the consciousness is as phenomenal in its character as what we know of bodies. This is the context in which Kant makes this remark.

In other words, our knowledge of the *ego cogito*, of the “I think,” does not give us any substantive knowledge beyond the world of experience. It has no other purpose, and that is in itself an important purpose, except to make us understand better what empirical understanding means. It does not lead us into a transcendent world. Now let us read the fourth paragraph.

Reader:

Should it be granted that it remains for us to discover not in experience but in certain laws of the pure employment of reason the laws which are not merely logical rules but which wholly *a priori* also concern our existence, the ground for regarding ourselves as legislating completely *a priori* in regard to our own existence, and as determining this existence. There would thereby be revealed a spontaneity through which our reality would be determinable, independently of the conditions of empirical intuition.

LS: What Kant means is that the moral law dictates to you in such and such a manner without any reference to conditions of empirical intuition.

Reader:

And we should also become aware that in the consciousness of our existence there is contained a something *a priori* which can serve to determine our existence, the complete determination of which is possible only in sensible terms as being related yet . . . certain inner faculty to a non-sensible, intelligible world. But this would not be of real service in furthering the attempts of rational psychology—

LS: Meaning of a speculative metaphysics of the immortal soul.

Reader:

In this marvelous faculty, which consciousness of the moral law first reveals to me, I should indeed have for the determination of my existence a principle which is purely intellectual—^{xii}

LS: And so on. But nothing would follow for speculative metaphysics. What I’m driving at is only this, and that is the reason why I referred to these two passages of the *Critique of Pure Reason*: that in an important sense the purely theoretical, purely amoral analysis of the human understanding given in the *Critique of Pure Reason* supplies us with the only possible deduction of the moral law. It is not sufficient, that we will see later, but it is nevertheless of the greatest importance. Kant proves as it were, or claims to have proven, that any empirical morality, any morality based on the principle of happiness however understood cannot be valid because of the fundamentally phenomenal character of all empirical knowledge. This is of course today

^{xii} Smith, 382-83; [B 430-431]

admitted, the so-called value-free social science is in this respect building on the Kantian foundation. For example, if these people are not Utilitarians or modified Utilitarians, which they otherwise would surely be, they owe this to the fact that they have learned something from Kant.

Now how could we restate Kant's argument to make it intelligible on the basis of the present-day discussion, which is not necessarily a higher level but is more easily intelligible to us? Well, I have referred to this more than once, perhaps not in this course. Now if you take the present-day view, the positivistic view, the only worthwhile knowledge is scientific knowledge; and values of course can be described—they are simply expressions of our emotions—but they have no truth character. They cannot have any truth character. You know this position by now, if not from other sources at least from what I say. How would the argument of Kant or of someone who would remember Kant today run? There arise certain questions regarding science, and crucial questions which science is completely unable to answer, and not only science but the so-called scientific philosophy of positivism going with it also cannot answer, and that is the question of the goodness of science. If all value-judgments are merely expressions of emotions, [and] have no truth character whatever, the question of the goodness of science cannot be rationally answered. To mention only one very crude but characteristic formula: science, a predictive science, is necessary for man for the sake of survival. That's one. It is very easy to see that is an absolutely absurd proposition, because many men survive very happily—I mean tribes, societies without any inkling of science—and we are in the position today where we may not survive because of science, so that is an absolutely absurd answer.

Now if that is so, ³science itself, this enormous human enterprise with all its implications cannot be rationally defended, as no pursuit, art, or anything else can be rationally defended, because every rational defense—for example, if you say the collecting of garbage is obviously rationally defensible, we can't stand the stench and so on, they will answer to you: Well, some people can like it, even. You know this story. So all pursuits and all ways of life are based on a fundamental choice which is not rationally defensible. The fundamental phenomenon, more fundamental than any scientific explanation, is this abysmal freedom. For Kant there cannot be such an abysmal freedom because the freedom is necessarily a rational freedom, and therefore it must show itself in universal laws which therefore must be the same for all men. But the fundamental point, that an understanding of the limitations of science lead us necessarily beyond science to a realm of freedom is the same, and that is what Kant is trying to do. Kant would indeed say eventually, as we will see, that this freedom remains a mere nightmare if there is no moral law which will not enlighten that abyss. That is quite true. But as far as the argument of the *Critique of Pure Reason* is concerned, the merely theoretical and amoral analysis of the *Critique of Pure Reason* is concerned, it is the same argument as we have today.

I wonder whether I can find this passage where you would see, I think, some of you at least—that we should read in addition. That is in a much later section, The Impossibility of a Cosmological Proof. On page 513, the last paragraph. That is a bit out of order that we read this now but it may—listen carefully whether you do not recognize present-day thought in that.

Reader:

Unconditioned necessity, which we so indispensably require as the last bearer of all things, is for human reason the veritable abyss. Eternity itself, in all its terrible sublimity,

as depicted by a Haller, is far from making the same overwhelming impression on the mind—

LS: Not “overwhelming” but “dizziness.”

Reader:

for it only *measures* the duration of things, it does not *support* them. We cannot put aside, and yet also cannot endure the thought that a being, which we represent for ourselves as supreme amongst all possible beings should, as it were, say to itself, “I am from eternity to eternity and outside me there is nothing save what is through my will. *But whence then am I?*” All support here fails us; and the *greatest* perfection, no less than the *least* perfection, is unsubstantial and baseless for merely speculative reason, which makes not the least effort to attain either the one or the other, and feels indeed no loss in allowing them to vanish entirely.^{xiii}

LS: I think that is the most existential statement ever made before our century. For Kant of course the problem does not arise because of the moral law. The abyss is closed by the moral law forever and ever.

To repeat the point—but I can also state it in a more simple way as follows. If I⁴ disregard the moral law, if I take the work of experience as we live well, we pursue happiness. That means for Kant that we follow pleasure or pain and their modifications. Sure, that is clear. But then what can theoretical reason tell us? How can theoretical reason make us realize that there is something fundamentally wrong with the mere pursuit of happiness? Kant argues as follows: the purely theoretical reason of our ordinary and scientific understanding makes us realize that there is such a thing in man called reason, pure reason, which as such being the ground of any meaning is beyond the world of experience. Therefore by disregarding this pure reason and abandoning himself to the pursuit of happiness man forgets himself, his true self. This thesis could be said to follow from the *Critique of Pure Reason*⁵, to repeat, as a purely amoral theoretical reason. That I think is the utmost one can say in order to understand what Kant could have meant by a deduction of morality from something else. Something else cannot be morality as morality. And that also fits with the remark we read earlier, that we must deduce morality not from the essence of man but from the essence of a rational being as a rational being. To repeat: to understand reason in its foundational character means to be at least on one’s way toward overcoming the dimension in which happiness is the sole consideration, happiness manifestly belonging, in the Kantian sense, to the phenomenal world.

But these things would need a much more detailed and sustained discussion than we are capable of here. I only repeat this main point which we must keep in mind. What Kant is groping with in this last section of the *Foundations of the Metaphysics of Morals*, as well as in some other passages, is this problem. Kant really is trying at some part of his argument to *deduce* morality, to deduce morality, and that means the only way in which this can be done from Kant’s point of view is the critique of pure reason which makes us discover pure reason and pure reason as *the* fundamental phenomenon, and therefore the character which human actions as human actions

^{xiii} Smith, 513, italics in Smith; [A613 = B641]

ought to have. A man must not forget himself, his true self, which he would if he is not guided by pure reason.

Now let us first read the last paragraph. There may be some more points. On page 454, where Kant refers to an empirical example. Mr. Sacks made some good observations on this point.

Reader:

The practical use of common sense reason confirms the correctness of this deduction. When we present examples of honesty, courage, and steadfastness in the following good maxims, and a sympathy and general benevolence, even at the great sacrifice of advantage and comfort, there is no man, not even the most malicious villain, provided he is otherwise accustomed to using his reason, who does not wish that he also might have those qualities, but because of his inclinations and impulses he cannot bring this about. Yet at the same time he wishes to be free from such inclinations for the purpose of being himself. He does . . . several inaudible words . . . with the will free from all impulses of sensibility. He in thought transfers himself into an order of things altogether different from that of his desires in the field of sensibility. Do not expect to obtain by that wish any gratification of desires, nor any conditions which satisfy his real or even imagined inclinations, for the idea itself which elicits this wish from him could lose its pre-eminence if he has any such expectations. ^{xiv}

LS: I think we can stop there. Now what do you say to this proposition? This is a proposition which is in a way an empirical illustration of the reality of morality in man as man. Mr. Sacks regarded it as possible that there may be villains⁶ so malicious as not to have that desire at all. But Kant makes here a qualification: provided only he is accustomed otherwise to use reason. Say, a homicidal maniac is obviously not meant here—I mean, he doesn’t use reason at all. What about Cesare Borgia? He did use his reason, and he was a very shrewd planner. I take Machiavelli’s Cesare Borgia. I don’t know the difference between him and the historical Cesare Borgia. He was certainly a very nasty customer. Could one⁷ make an assumption that Borgia suffered from his misdeeds, that he had murdered his brother-in-law, his brother, and quite a few other people too of course, and committed all kinds of—can one safely assume that? I think that is a great difficulty.

Well, I read to you a passage from another writing of Kant’s about six or seven years later, where he speaks of the proposition that the pangs of conscience bother the vicious man more than any furies already in this life. Kant says, “in this judgment there is obviously an error for the virtuous man loans to the vicious man his character, namely, conscientiousness in all its strength. Of course it was wrong to presuppose in the case of the vicious man. Where this moral way of thinking and the conscientiousness doesn’t exist, there also the conscience as punishing for committed crimes doesn’t exist and the vicious man, if he is assured against punishment, laughs about the timidity of the square [I say square for—LS] who worries himself with self-reproval, but if he reproaches himself from time to time they are of no great importance and can easily be

^{xiv} *Groundwork of the Metaphysics of Morals*, Academy Edition 4:54.

overcome by pleasures of the same senses in which alone he finds reality—”^{xv} So you see Kant—

(change of tape)

—that I thought I should mention lest Kant be regarded as more naïve than he was. Now⁸ towards the end of this section, Kant states clearly that there is no possibility of deducing morality from the intellectual or noumenal world of the things-in-themselves. Now that is clear. Why? ⁹What Kant had said before in this long discussion, which we cannot read here—well, that complicates the book very much. There is this complication which we have not discussed and which I can barely more than mention. We have the world of experience, which of course should not be presented in this way, because it has its own infinity, therefore . . . but it is limited, it has its limits, the world as it appears. Now this world creates another great difficulty for morality, a decisive difficulty because in the world of experience there is nothing but strict determination. Freedom is impossible. Freedom is impossible, and the only way of proving that freedom is possible is to show that this whole phenomenal world is *only* phenomenal and that there is a world radically different from the phenomenal world. However, we must think of ourselves as members of the noumenal world in order to understand ourselves as moral beings. But we do not know, we must assume, we must presuppose, this noumenal world. We do not know it. Therefore a deduction of the categorical imperative is impossible.

Differently stated, [and] correcting a statement which I made earlier: it is indeed true to begin with that the moral law must not be deduced from the essence of man, but from the essence of a rational being. Kant says towards the end, in different words, [that] we have no knowledge of ourselves as rational beings except to the extent to which this rationality shows itself in the act of reason, like founding science and supplying us with the moral law. Therefore, the moral law cannot be deduced from anything.

The great ambiguity which goes through this section can perhaps be stated as follows: one can easily present it in the form of a simple contradiction, but one must then try to understand how a man like Kant can make such a contradiction. It is necessary to deduce morality. That is said very clearly throughout the book. But Kant also says [that] it is impossible to deduce morality. What is behind this difficulty? It is impossible to deduce the moral law fundamentally because the moral law is the only unconditioned, the only absolute, of which we know. In all other cases, for example, in all other principles of reason, we do not have this unconditioned character. The moral law is *the* principle, *the* principle of all understanding, you can say, although that goes much beyond Kant. The principle. But obviously that cannot be maintained. The moral law *is* conditioned; it cannot be *the* principle. The first ground of any human orientation, the moral law, cannot be the first cause. Therefore the difficulty. I think this difficulty is not limited to Kant. You can find similar things in other modern philosophers.

I will illustrate this a bit by the following remark. Morality, Kant says, presupposes freedom. But how is freedom possible in a world which is ruled by the iron law of cause and effect? It is not possible in that world. So we must make a distinction between the phenomenal and the

^{xv} “On the Miscarriage of all Philosophical Trials in Theodicy” (1791) 8: 261. Presumably Strauss’s translation.

noumenal worlds. But still, what do we imply in making that distinction? We try to answer the question: How must we behold so that there can be morality? What are the conditions, the cosmic conditions, of self-legislation? These cosmic conditions may not be fulfilled in the phenomenal world, but still they are conditions. The unconditioned categorical imperative does have conditions. Morality cannot be simply *the* principle. Or, to introduce a term used by Kant, we cannot escape some form of tutelage.¹⁰ In Suarez's books on the laws—Suarez was the codifier, you can say, of Thomistic philosophy in the early seventeenth century—in Suarez's book on the laws, book 1, chapter 3, at the beginning he says: "Absolute necessity, according to which something is said to be by itself and because of itself necessary, cannot belong to law as law, because such a necessity is proper only to God. But the law is either something created or else it presupposes some creature for the sake of which it is given. Since rational creatures, men, are not absolutely necessary, there could not be men, the law cannot be absolutely necessary. The law is necessary if we suppose the creation of the rational creature, and then it is necessary so that such a being can live in accordance with its nature."^{xvi} What Kant is trying to do is the assert the necessity of the moral law as an absolute necessity, so that the moral law is in fact taking the place of God in traditional theology and . . .

There are many other difficulties coming up here in connection with this principle in this last section. I have to mention only two grave problems. The one was already mentioned on an earlier occasion: How is a bad will, an immoral will, possible from Kant's point of view, if the will is identical with practical reason? If the will is identical with practical reason, it follows that there cannot be a bad will. The bad will can be understood simply if one assumes that there is a *libertas indifferentiae*, as it was called, a freedom of indifference, that man is free to choose the good and the evil. And this was the essence of the will, to be free in this way. But this is rejected by Kant. Freedom means for Kant, in the positive sense of the word, autonomy, self-legislation, subjecting oneself by deed to that law.

Student: I really wonder if that is necessarily a problem for Kant. When you don't will, when you don't act in accordance with practical reason, then you simply fall under the sway of the passions, so that evil is not a bad will at all.

LS: Yes, but the question is that from any moral point of view it is necessary to admit in one way or another a bad will, that a choice of a life of desire, in this narrow sense, as distinguished from a life of the will, is the bad will . . . but Kant has no clear possibility of giving an account of that. That is a very complicated thing in Kant. The only thematic discussion of the bad will you'll find in his book on religion, *Religion Within the Limits of Pure Reason*, where he makes considerable use of traditional Christian notions, but which do not gibe however with his other philosophy . . .

LS: The other point, the other difficulty, is also rather obvious. Assuming this dualism of the noumenal and sensible worlds, our actions take place in the sensible world, obviously. As far as our life is concerned, there is only this world. One world. You must, therefore, if you are confronted with any human action, you *can* and *must* understand it in two contradictory ways, as

^{xvi} Francisco Suarez, *Tractatus de legibus ac Deo legislatore* (1679). For a contemporary translation, see *Über die Gesetze und Gott den Gesetzgeber*, hrsg. Oliver Bach, Norbert Breiskorn, und Gideon Stiening (Stuttgart-Bad Cannstatt: Frommann-Holzberg, 2014). Presumably Strauss's translation.

a free responsible action of the man who does it, good or bad . . . and as a perfectly determined action . . . a terrible difficulty.

Student: With regard to the necessity of the will being good, it seems to me that Kant implies that the will is always good in a sense, it is always giving universal law but that it is weak or fragile. He seems to imply the fragility of the will.

LS: Yes.

Student: The fragility of the will comes into operation where the will comes into collision with the sensual phenomena, and this is where the choice takes place. It would then be necessary for there to be a possibility of a good will shifting itself, for it would continue to give the law because that is its nature, but yet would fall down somehow in bringing this will into effect in connection with the phenomena.

LS: Yes, but the question is simply whether from such a strict moral point of view as Kant is anxious to assert you can reduce the badness of the will to mere fragility. That is a great difficulty. It is true, Kant denies in one sense the bad will proper. He denies that it is possible for a man to rebel against the moral law as moral law. That is true. That he calls a diabolical will and thinks it is impossible in man. But the question is whether the bad will is not more than a merely fragile will. Take someone who is forbidden to drink alcohol. I know this from a German presentation which some of you will know: Busch, *Die fromme Helene*.^{xvii} A woman¹¹ is forbidden to drink, and she prays to God to give her strength. While she is on her knees she moves towards the bottle. That is a simple example of a merely fragile will. But whether you can understand the actions of really evil people, someone like Hitler, in terms of a merely fragile will can be doubted.

Student: Wouldn't it be possible to say from Kant's point of view that the surrender of the will to the phenomenal world is a truly horrible thing?

LS: Yes, that is the evil will, but that would presuppose a liberty of indifference, that man is free to turn to the world or morality, or to be and remain submerged in the world of desire and mere concern with happiness without any moral regard. But Kant denies that. And that is a very difficult question; it must have something to do with what we discussed at the beginning of this course: the uniformity. You know there is a uniformity in the world of morality, the moral uniformity of the good will. There is a uniformity of passion, let me say, or desire, in the phenomenal world. But if there is a liberty of indifference that means of course essentially non-uniformity, because no one's choice can be predicted in any way. That is really in a way . . . essentially a sphere of chaos . . . And I think in the view of Kant the identification of will and practical reason which is so necessary for him to make shows that there cannot be a bad will proper. And there is sufficient evidence in his writings, especially in this last writing about religion . . .

^{xvii} Wilhelm Busch (b. 1832), German poet and storyteller perhaps best known for his *Max und Moritz*.

Student: Couldn't we say that what is not free, could be regarded as the potential freedom of the will, that is in some sense that he must continue to will the universal law but he is free to reject what he wills by . . . in the phenomenal world?

LS: Yes. That's the bad will, sure. But how do you account for this leeway, for the fact that man has this latitude?

Student: This is the realm of freedom, which . . .

LS: Yes, but which would mean I think a liberty of indifference, that the will as such is neither good or bad but becomes good or bad by his choice. That is traditionally called the liberty of indifference. And Kant rejects that.

Student: Well, Kant says that the realm of freedom must be bound by law or else, he says, freedom would be an absurdity, but he says we can't penetrate into the nature of those laws. We must simply leave it at saying that they are laws of freedom . . . So perhaps within the laws of freedom into which we cannot penetrate, there are—

LS: The laws of freedom are for Kant simply the moral laws. There are no other laws of freedom. But that there is a mystery of freedom Kant admits. The laws of freedom are the moral laws. Only your expression is not quite correct. I can only say [that] this difficulty, while it is obviously present in Kant, it is never solved by him. That would need a much broader analysis than we can give now.

Student: . . . I do not understand why Kant says practical reason is identical with the good will.

LS: Because there cannot be any objects of the moral will. Well, that is very easy to understand. I will try to explain that.

Student: It confuses me because practical has this sensual—

LS: Oh, no, no. Practical reason means, as used here, the same as the moral reason. It comes from the meaning of the Greek word *praxis*, where *praxis* is distinct action as distinguished from *poesis*, from any production . . . For example, if you open a tin box or drive a car, that is not an *action* proper. An action proper is morally either good or bad. If you do anything which is meant for an effect and does not possess its value in itself, that is not an action strictly speaking . . .

In the traditional notion, a moral action means to choose the right thing in the right spirit. You could choose the right thing for the wrong sake, because it is right . . . but that you choose it in the right spirit, that is the proper quality of your will, good will; but it must also be the right thing. If you do the wrong thing in the right spirit, for example, if you steal in order to help the poor, you still act immorally. It is not the goodness of the intention . . . The goodness of the will in this sense is not sufficient to make the action good. You must also have the right object; then that would be the function of practical reason, to establish the right thing, and of the will to choose it for its own sake. Kant says it is impossible to determine the right thing by practical reason in the old sense of the term, because this would mean that there are certain presupposed

ends which are intrinsically good . . . Kant's point of view is this: any end, even the end of helping other people, for example—what we all ordinarily regard as a good end—cannot be in itself good.¹² What Kant means by the formal character of the moral law means that no end can be known to be good prior to the moral law itself. The formalism means that only the how of the will and not the what is morally important. And Kant contends that this mere how of the will is sufficient for establishing all possible legitimate whats.^{xviii} We have discussed this last time. You know the examples where Kant tried to show, for example, that we must rather make fraudulent premises on *any* grounds . . . human society is not possible if promises are not, as it were, an institution of society. That would be a consideration of ends. Here you would have a reasoning, practical reasoning, looking at society as an end and you see promises are indispensable if people are to live together; and if that is so, [then] promises must not be fraudulently made because that would be destructive of the very institution of promises. But Kant deduces this by the mere fact that you cannot successfully universalize the maxim "I want to make fraudulent promises." This mere fact, that maxims of this kind cannot be successfully universalized, is¹³ necessary and sufficient for determining the moral or immoral character of the maxim; and therefore Kant does not need and cannot use a practical reason different from the good will. No apprehension of goods precedes and can precede the good will according to Kant, and therefore the impeccability, as it were, of practical reason as practical reason migrates into the will and makes it a good one.

But we must now come to a conclusion. The conclusion must certainly be that we have not exhausted in any way the texts of Kant, but we have become perhaps aware of certain important considerations which one must keep in mind if one wants to understand Kant. And I believe that the beginning of the analysis which I suggested, namely, to start from the modern natural right [teaching], especially in its Rousseauian version, as the starting point of Kant's whole understanding of morality is the most helpful [beginning] I know of. Is there any point which you would like to bring up which is so burning that it cannot be postponed?¹⁴ Good. So that's that. We have ended this quarter.

¹ Deleted "the ends."

² Deleted "sensible."

³ Deleted "it becomes"

⁴ Deleted "take."

⁵ Deleted "as."

⁶ Deleted brief and mostly inaudible exchange with Mr. Sachs about the phrase "malicious villain."

⁷ Deleted "say that."

⁸ Deleted "at the conclusion of this session."

⁹ Deleted "morality."

¹⁰ Deleted "You know what is meant by that"

¹¹ Deleted "who."

¹² Deleted "the only."

¹³ Deleted "sufficient."

¹⁴ Deleted "Mr. Masters, you can come to my office."

^{xviii} The tape skips here.